

# Public Document Pack



To: Councillor Reynolds, Convener; Councillor Malik, Vice Convener; and Councillors Allan, Bell, Delaney, Henrickson, Radley, Sellar and Townson.

Town House,  
ABERDEEN 12 January 2021

## LICENSING COMMITTEE

The Members of the **LICENSING COMMITTEE** are requested to meet remotely on **TUESDAY, 19 JANUARY 2021 at 10.00 am.**

FRASER BELL  
CHIEF OFFICER - GOVERNANCE

In accordance with UK and Scottish Government guidance, meetings of this Committee will be held remotely as required. In these circumstances the meetings will be recorded and available on the Committee page on the website.

### **BUSINESS**

#### **NOTIFICATION OF URGENT BUSINESS**

1.1 Urgent Business

#### **DETERMINATION OF EXEMPT BUSINESS**

2.1 Exempt Business

#### **CONFIDENTIAL BUSINESS**

3.1 Confidential Business

#### **DECLARATIONS OF INTEREST**

4.1 Declarations of Interest (Pages 5 - 6)

## **DEPUTATIONS**

- 5.1 Deputations

## **MINUTES AND COMMITTEE BUSINESS PLANNER**

- 6.1 Minute of Previous Meeting of 10 November 2020 (Pages 7 - 14)
- 6.2 Minute of Meeting of the Taxi and Private Hire Car Consultation Group of 2 December 2020 (Pages 15 - 16)
- 6.3 Committee Business Planner (Pages 17 - 20)

## **APPLICATIONS FOR LICENCES - INCLUDING LIST OF APPLICATIONS**

- 7.1 New Licence for a House in Multiple Occupation - 25 University Road  
(Pages 23 - 26)
- 7.2 Renewal of a Licence for a House in Multiple Occupation - First Floor Flat, 64 Great Western Road (Pages 27 - 34)
- 7.3 Grant of Skin Piercing and Tattooing Licence - Dorata Alina Michalska  
(Pages 35 - 36)
- 7.4 Grant of a Street Trader Licence - Nicola Swinburn, Kirkhill Drive, Dyce  
(Pages 37 - 42)

## **COMMITTEE REPORTS**

- 8.1 Application for Changes to the City Centre Taxi Ranks - COM/21/004  
(Pages 43 - 58)
- 8.2 Safety of Sports Grounds Act 1975 As Amended - General Safety Certificate Pittodrie Certificate - COM/21/012 (Pages 59 - 100)

## **CONFIDENTIAL INFORMATION - APPLICATIONS, INCLUDING LIST OF APPLICATIONS, TO BE HEARD IN PRIVATE**

**Applications to be heard in private and treated as confidential information in terms of Section 50(A)(3)(b) of the Local Government (Scotland) Act 1973.**

- 9.1 Renewal of a Landlord Registration (Pages 103 - 116)

- 9.2 Renewal of a Street Trader Licence (Pages 117 - 120)
- 9.3 Renewal of a Taxi Driver Licence (Pages 121 - 124)
- 9.4 Renewal of a Taxi Driver Licence (Pages 125 - 128)
- 9.5 Request for the Suspension of a Late Hours Catering Licence (Pages 129 - 134)
- 9.6 Request for the Suspension of a Taxi Driver Licence (Pages 135 - 140)
- 9.7 Request for the Suspension of a Taxi Driver Licence (Pages 141 - 146)

EHRIsAs related to reports on this agenda can be viewed [here](#)  
To access the Service Updates for this Committee please click [here](#)

Website Address: [aberdeencity.gov.uk](http://aberdeencity.gov.uk)

Should you require any further information about this agenda, please contact Mark Masson, tel 01224 522989 or email [mlasson@aberdeencity.gov.uk](mailto:mlasson@aberdeencity.gov.uk)

This page is intentionally left blank

## **DECLARATIONS OF INTEREST**

You must consider at the earliest stage possible whether you have an interest to declare in relation to any matter which is to be considered. You should consider whether reports for meetings raise any issue of declaration of interest. Your declaration of interest must be made under the standing item on the agenda, however if you do identify the need for a declaration of interest only when a particular matter is being discussed then you must declare the interest as soon as you realise it is necessary. The following wording may be helpful for you in making your declaration.

I declare an interest in item (x) for the following reasons .....

*For example, I know the applicant / I am a member of the Board of X / I am employed by...* and I will therefore withdraw from the meeting room during any discussion and voting on that item.

### **OR**

I have considered whether I require to declare an interest in item (x) for the following reasons ..... however, having applied the objective test, I consider that my interest is so remote / insignificant that it does not require me to remove myself from consideration of the item.

### **OR**

I declare an interest in item (x) for the following reasons ..... however I consider that a specific exclusion applies as my interest is as a member of xxxx, which is

- (a) a devolved public body as defined in Schedule 3 to the Act;
- (b) a public body established by enactment or in pursuance of statutory powers or by the authority of statute or a statutory scheme;
- (c) a body with whom there is in force an agreement which has been made in pursuance of Section 19 of the Enterprise and New Towns (Scotland) Act 1990 by Scottish Enterprise or Highlands and Islands Enterprise for the discharge by that body of any of the functions of Scottish Enterprise or, as the case may be, Highlands and Islands Enterprise; or
- (d) a body being a company:-
  - i. established wholly or mainly for the purpose of providing services to the Councillor's local authority; and
  - ii. which has entered into a contractual arrangement with that local authority for the supply of goods and/or services to that local authority.

### **OR**

I declare an interest in item (x) for the following reasons.....and although the body is covered by a specific exclusion, the matter before the Committee is one that is quasi-judicial / regulatory in nature where the body I am a member of:

- is applying for a licence, a consent or an approval
- is making an objection or representation
- has a material interest concerning a licence consent or approval
- is the subject of a statutory order of a regulatory nature made or proposed to be made by the local authority.... and I will therefore withdraw from the meeting room during any discussion and voting on that item.

## LICENSING COMMITTEE

ABERDEEN, 10 November 2020. Minute of meeting of the LICENSING COMMITTEE. Present: Councillor Reynolds, Convener; Councillor Allan, Bell, Delaney, Henrickson, MacGregor (as substitute for Councillor Al-Samarai), Sellar, Townson and Wheeler (as substitute for Councillor Malik).

The agenda and reports associated with this minute can be found [here](#).

Please note that if any changes are made to this minute at the point of approval, these will be outlined in the subsequent minute and this document will not be retrospectively altered.

### DECLARATIONS OF INTEREST

1. There were no declarations of interest intimated.

### MINUTE OF PREVIOUS MEETING OF 1 SEPTEMBER 2020

2. The Committee had before it the minute of its previous meeting of 1 September 2020.

**The Committee resolved:-**  
to approve the minute.

### COMMITTEE BUSINESS PLANNER

3. The Committee had before it the committee business planner as prepared by the Chief Officer – Governance.

**The Committee resolved:-**  
to note the committee business planner.

### NEW LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION - MIGNON MURTLE ESTATE, NORTH DEESIDE ROAD

4. The Committee were advised that the licence had been granted under delegated powers.

### RENEWAL OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION - 52 ALBURY PLACE

5. The Committee had before it a report by the Private Sector Housing Manager, which indicated that the application was before the Committee for the reason that three

## LICENSING COMMITTEE

10 November 2020

letters of objection/representation had been received, however all three letters, submitted by the same respondent, had been submitted outwith the statutory 21-day period.

The applicant, Mr Terry McDonald, was not in attendance nor represented.

Mr Thain, Private Sector Housing Manager explained that HMO Licensing legislation allowed the local authority to consider late written representations if it considered that it was reasonable for the respondent to submit the letter(s) after the deadline for doing so, and accordingly, if the Committee agreed, any or all of these letters would be circulated to members for consideration.

In addition, Mr Thain explained that a letter from the applicant responding to the letters had been submitted, and accordingly, if the Committee decide to consider the letters from the respondent, then the applicant's letter would also be circulated to members.

The Committee heard from the respondent Mr Trevor Spalding, on the reason why these late letters were not submitted within the statutory period.

### The Committee resolved:-

to accept the three late letters from the respondent into the proceedings for consideration.

Mr Spalding, spoke in support of his letters of objection/representation.

The Committee asked questions of the respondent.

The respondent summed up.

### The Committee resolved:-

- (i) to grant the licence; and
- (ii) that officers write to the applicant requesting that he replace floor coverings with carpets to mitigate against footfall noise levels.

## **NEW LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION - 8 IVORY COURT**

6. The Committee had before it a report by the Private Sector Housing Manager, which advised that the application was before the Committee for the reason that one letter of representation had been submitted.

The applicant, Mr Michael Higgins, was in attendance and spoke in support of the application.

The respondent, Mr Raymond Lynch, was in attendance and spoke in support of the letter of representation.

The Committee asked questions of the applicant and the respondent.



**LICENSING COMMITTEE**  
10 November 2020

The respondent summed up.

The applicant summed up.

**The Committee resolved:-**  
to grant the licence.

**TEMPORARY MARKET OPERATORS LICENCE - AFFA FINE OPEN AIR MARKETS (ETIOM LTD)**

7. The Committee were advised that the temporary licence had been granted under delegated powers.

**RENEWAL OF A PRIVATE HIRE DRIVER LICENCE - GLEN URQUHART**

8. The Committee had before it an information sheet prepared by the Chief Officer – Governance, which advised that the application had to be determined by 14 December 2020.

The applicant was not in attendance, nor represented.

**The Committee resolved:-**  
to refuse the licence.

**GRANT OF A SKIN PIERCING AND TATTOOING LICENCE - LEE ADAMS**

9. The Committee were advised that the licence had been granted under delegated powers.

**RENEWAL OF A STREET TRADER LICENCE - IAIN LINTON**

10. The Committee were advised that the licence had been granted under delegated powers.

**RENEWAL OF A PUBLIC ENTERTAINMENT LICENCE - FERRYHILL PARISH CHURCH**

11. The Committee were advised that the application had been withdrawn.

**GRANT OF A LATE HOURS CATERING LICENCE - SUUR YUCE - PASHA KEBABS**

**LICENSING COMMITTEE**

10 November 2020

12. The Committee were advised that the application had been withdrawn.

**PUBLIC CHARITABLE COLLECTION - STEVEN GRAHAM STV APPEAL**

13. The Committee had before it an information note prepared by the Chief Officer – Governance which advised that the application was before the Committee for the reason that it had not been received within the required one month notice period.

The applicant, Steven Graham was in attendance and explained why the application had not been submitted within the required period.

**The Committee resolved:-**

- (i) to waive the one month notification period as prescribed in the current guidelines; and
- (ii) to note that the Licensing Team will now process the application.

**TAXI FARE REVIEW - COM/20/187**

14. With reference to article 18 of the minute of the previous meeting of 1 September 2020, the Committee had before it a report by the Chief Officer – Governance which presented the outcome of the representations to the proposed taxi tariff scales as advertised in accordance with statutory requirements.

**The report recommended:-**

that the Committee –

- (a) note the content of the report and that there were no representations made by members of the taxi trade or the public to the consultation;
- (b) agree to the current basic tariff and to increase surcharge 8 tariff by £1.00 to a charge of £3.00;
- (c) approve the Tariff Card attached at Appendix 1 and instructs the Chief Officer – Governance to provide written notice to all taxi licence holders of the new tariff and their right of appeal; and
- (d) agree that the tariff will take effect from 30 November 2020, provided no appeal is lodged with the Traffic Commissioner.

**The Committee resolved:-**

to approve the recommendations.

**SEXUAL ENTERTAINMENT VENUE LICENSING - COM/20/190**

## LICENSING COMMITTEE

10 November 2020

15. With reference to article 8 of the minute of meeting of 3 December 2019, the Committee had before it a report by the Chief Officer – Governance which sought approval to amend the implementation date for the Sexual Entertainment Venue licensing regime.

**The report recommended:-**

that the Committee –

- (a) affirm the resolution to introduce a licensing regime for Sexual Entertainment Venues in line with the previous decision made on 3 December 2019; and
- (b) amend the date of implementation of the licensing regime to 1 December 2021.

**The Committee resolved:-**

to approve the recommendations.

### TAXI AND PRIVATE HIRE POLICY REVIEW - COM/20/191

16. The Committee had before it a report by the Chief Officer – Governance, which provided details of the review of all taxi and private hire policies and sought approval to consult on the proposed changes.

**The report recommended:-**

that the Committee –

- (a) note the proposed policy changes detailed in Appendix 1;
- (b) instruct the Chief Officer – Governance to consult with the Trade and all relevant stakeholders on the proposed policy changes; and
- (c) report back to Committee on 16 March 2021 with the results of the consultation exercise.

**The Committee resolved:-**

to approve the recommendations.

### CONFIDENTIAL INFORMATION

**The press and public were excluded from the meeting for consideration of the following items which contained confidential information in terms of Section 50A 3(b) of the Local Government (Scotland) Act 1973.**

### NEW APPLICATION FOR LANDLORD REGISTRATION

17. The Committee had before it (1) an information note prepared by the Private Sector Housing Manager, which provided details in relation to a new application for Landlord Registration; (2) a letter from the Deputy Chief Constable designate, Police Scotland, c/o North East Division dated 31 August 2020; and (3) correspondence from the applicant dated 23 October 2020.

**LICENSING COMMITTEE**

10 November 2020

The applicant was not in attendance, nor represented.

Sergeant Flett was in attendance and spoke in support of Police Scotland's letter. She intimated that item 2 in the table should not have been included, therefore the Committee should disregard that information when considering the application.

**The Committee resolved:-**  
to refuse the application.

**REQUEST FOR SUSPENSION OF A TAXI DRIVER LICENCE**

**18.** With reference to article 2 of the minute of meeting of the Licensing Sub Committee of 17 December 2019, the Committee had before it (1) an information note prepared by the Chief Officer – Governance which advised that a request had been received by Police Scotland for the suspension of a taxi driver's licence held by the licence holder in terms of paragraphs 11 of Schedule 1 to the Civic Government (Scotland) Act 1982 ("the Schedule"); (2) a letter from the Chief Superintendent, Police Scotland, North East Division dated 19 October 2020; (3) an sworn affidavit signed by a Solicitor and Notary Public dated 23 October 2020; and (4) a letter of support from the applicant's employer.

Mr Munro, Legal Advisor, provided the Committee with an update in relation to the request for suspension.

Sergeant Flett was in attendance on behalf of Police Scotland and spoke in support of the letter.

The licence holder and his representative were in attendance, and his representative spoke in response to the request for suspension of the licence and in support of the licence holder.

The Committee asked questions of Sergeant Flett and the licence holder's representative.

The licence holder's representative and Sergeant Flett summed up.

Councillor Townson, seconded by Councillor Allan moved:-  
that the Committee take no action.

Councillor Delaney, moved as an amendment to suspend the licence for its remaining period, however Councillor Delaney's amendment was not seconded, therefore in terms of Standing Order 29.12, the amendment fell.

**The Committee resolved:-**  
to take no action.

**LICENSING COMMITTEE**  
10 November 2020

**RENEWAL OF A TAXI DRIVER LICENCE**

19. The Committee had before it (1) an information note prepared by the Chief Officer – Governance in respect of the application which advised that the application had to be determined by 27 May 2021; and (2) a letter of representation from the Chief Superintendent, Police Scotland, c/o North East Division dated 15 September 2020.

The licence holder was in attendance and spoke in support of his application.

Sergeant Flett was in attendance and spoke in support of Police Scotland's letter of representation.

Sergeant Flett and the applicant both summed up.

**The Committee resolved:-**

to grant the renewal of the licence.

**RENEWAL OF A TAXI DRIVER LICENCE**

20. The Committee were advised that the licence was granted under delegated powers.

**TEMPORARY MARKET OPERATORS LICENCE - AFFA FINE OPEN AIR MARKETS (ETIOM LTD) - CONFIDENTIAL DOCUMENTS**

21. With reference to article 7 above, the Committee noted that the licence had been granted under delegated powers.

- **COUNCILLOR JOHN REYNOLDS, Convener.**

This page is intentionally left blank

## **TAXI AND PRIVATE HIRE CAR CONSULTATION GROUP**

ABERDEEN, 2 December 2020. Minute of Meeting of the Taxi and Private Hire Car Consultation Group. Present:- Councillor Reynolds, Chairperson; and Councillors Delaney and McRae, Stewart Duncan (Airport Drivers), Graeme McColl (Aberdeen Taxi Group) and Russell McLeod (Rainbow City Taxis).

In attendance:- PC Ian Duthie (Police Scotland) (as a substitute for Sergeant Flett), Dave McKane (Enforcement Officer), Alan McKay (Roads), Ruth Milne (Spaces for People), Sandy Munro (Licensing), Ross Stevenson (Operations), John Weir (Fleet Services), John Wilson (Chief Officer - Capital), Mark Masson and Emma Robertson (Committee Services).

Apologies:- Arlene Dunbar (Licensing), Sergeant Gillian Flett (Police Scotland) and William Whyte (Fleet Services).

### **MINUTE OF MEETING OF 7 OCTOBER 2020 - FOR APPROVAL**

1. The Consultation Group had before it the minute of its previous meeting of 7 October 2020.

**The Taxi and Private Hire Car Consultation Group resolved:-**  
to approve the minute as a correct record.

### **TAXI RANKS**

2. The Consultation Group had before it correspondence from Russell McLeod, regarding changes to taxi ranks during the Covid pandemic.

John Wilson acknowledged that decisions had been made at pace with Public Health and that physical distancing was the primary concern. Mr Wilson gave assurances that any proposal moving forward would be in consultation with the taxi trade. He undertook to arrange site visits with group members within two weeks.

**The Taxi and Private Hire Consultation Group resolved:-**  
to note the update.

### **TAXI AND PRIVATE HIRE POLICY REVIEW**

3. The Consultation Group had before it a report on the Taxi and Private Hire Policy Review for information. Sandy Munro explained that the report had gone before the Licensing Committee to provide it with details of the review of all taxi and private hire policies and to seek approval to consult on the proposed changes.

It was noted that approval to consult had been agreed by the Licensing Committee on 10 November 2020.

There followed discussions and the Group agreed that their main concerns were:

- (i) changes to the zoning; and
- (ii) change to the owner registration requirement to be the licence holder.

TAXI AND PRIVATE HIRE CAR CONSULTATION GROUP  
2 December 2020

Mr Munro explained that this was the start of the consultation process following a two year long review, during which time, the trade were strongly encouraged to participate and submit their views.

**The Taxi and Private Hire Consultation Group resolved:-**  
to note the information.

#### **TAXI KNOWLEDGE TEST**

4. The Consultation Group heard from Russell McLeod regarding Taxi Knowledge Tests. Mr McLeod stated that it had been nine months since the Test had been available and during that time a significant number of drivers had left the taxi trade.

Sandy Munro advised that they were very close to being able to restart the Knowledge Tests; that an appropriate room had been identified to undertake the tests at Marischal College following consultation with the Health and Safety Team and the proposals were currently with Trade Unions for approval.

**The Taxi and Private Hire Consultation Group resolved:-**  
to note the information.

#### **DATE OF NEXT MEETING**

8. The Consultation Group noted that the next meeting would be held on 17 February 2021, at 10am.  
- **COUNCILLOR JOHN REYNOLDS, Convener.**



	A	B	C	D	E	F	G	H	I
1	<b>LICENSING COMMITTEE BUSINESS PLANNER</b> The Business Planner details the reports which have been instructed by the Committee as well as reports which the Functions expect to be submitting.								
2	<b>Report Title</b>	<b>Minute Reference/Committee Decision or Purpose of Report</b>	<b>Update</b>	<b>Report Author</b>	<b>Chief Officer</b>	<b>Directorate</b>	<b>Terms of Reference Number</b>	<b>Delayed or Recommended for removal or transfer, enter either D, R, or T</b>	<b>Explanation if delayed, removed or transferred</b>
3			<b>19 January 2021</b>						
4	Application for Changes to the City Centre Taxi Ranks	To temporarily alter some taxi rank locations through the Spaces for People project		Ruth Milne	Governance	Commissioning	3		
5	Safety of Sports Grounds Act 1975 as amended – General Safety Certificate Pittodrie Certificate	to request that the Licensing Committee agree to the adoption of the General Safety Certificate issued to Aberdeen Football Club Plc		Arlene Dunbar	Governance	Commissioning	17		
6			<b>16 March 2021</b>						
7	Taxi & Private Hire Policy Review	The Licensing Committee on 10/11/20 agreed to (1) instruct the Chief Officer – Governance to consult with the Trade and all relevant stakeholders on the proposed policy changes; and (2) report back to Committee on 16 March 2021 with the results of the consultation exercise.		Sandy Munro	Governance	Commissioning	17		
8			<b>18 May 2021</b>						
9	No reports scheduled at this time.								
10			<b>29 June 2021</b>						
11	No reports scheduled at this time.								
12			<b>31 August 2021</b>						
13	No reports scheduled at this time.								
14			<b>26 October 2021</b>						
15	No reports scheduled at this time.								
16			<b>14 December 2021</b>						

	A	B	C	D	E	F	G	H	I
	Report Title	Minute Reference/Committee Decision or Purpose of Report	Update	Report Author	Chief Officer	Directorate	Terms of Reference Number	Delayed or Recommended for removal or transfer, enter either D, R, or T	Explanation if delayed, removed or transferred
2									
17	No reports scheduled at this time.								
18			<b>TBC</b>						
19	Age Policy For Private Hire And Taxi Vehicles	Licensing Committee 08.03.16 (article 3 appendix A) - Council on 11 May 2016 resolved, amongst other things, to instruct the Head of Legal and Democratic Services to review the policy on Age of Vehicles following the implementation of the accessible vehicle policy on 6 June 2018 and report back to the Licensing Committee with recommendations as appropriate twelve months after the accessible vehicle policy had been implemented.	Report to be submitted 12 months after the implementation of the accessible vehicle policy.	Sandy Munro	Governance	Governance	7	R	This is to be consumed within the overarching report on Taxi and Private Hire Policy Review report due at the March 2021 meeting
20	Mixed Fleet Policy Options	Licensing Committee 5.03.18 (article 12). The Committee resolved to recognise that in compliance with The Equality Act 2010 that all taxi user requirements should be considered and instructs the Chief Officer Governance: (1) to prepare a report with suitable mixed fleet policy options for the split which would address all customer needs whether they are a wheelchair user, visually impaired or have other mobility requirements or other relevant disability; (2) to submit the aforementioned options to the Licensing Committee meeting by June 2022 for consideration, noting that subject to the approval in principle of the options a full consultation as outlined in section 4.2 of the report would be undertaken and the outcome reported back to the Committee; and (iv) to further recognise that in 1994 when new applications for taxi licences were required to be wheelchair accessible vehicles an exemption was allowed for existing licence holders, at that time, to retain a non-accessible vehicle and even licence a further non-accessible vehicle on renewal of the licence or replacement of such vehicle and to agree that this exemption should remain meantime and instructs the Chief Officer Governance to incorporate this exemption as an option within the proposed mixed fleet policy options to be submitted to Committee by June 2022.		Sandy Munro	Governance	Governance	7	R	This is to be consumed within the overarching report on Taxi and Private Hire Policy Review report due at the March 2021 meeting

	A	B	C	D	E	F	G	H	I
	Report Title	Minute Reference/Committee Decision or Purpose of Report	Update	Report Author	Chief Officer	Directorate	Terms of Reference Number	Delayed or Recommended for removal or transfer, enter either D, R, or T	Explanation if delayed, removed or transferred
2									
21	Taxi Driver Training	Licensing Committee 19/2/19 agreed to instruct the Chief Officer – Governance to continue to investigate training programmes for taxi and private hire drivers and report back to the Committee in this regard as and when appropriate.		Sandy Munro	Governance	Governance	3		

This page is intentionally left blank

<b>Application</b>	<b>Name of Applicant &amp; Agent</b>	<b>Premises of which application refers</b>	<b>Representations received</b>	<b>Date by which application to be determined (date order)</b>	<b>Proposed Meeting to Determine Application</b>	<b>Page Number</b>
HMO Application (New)	Richard Mays	25 University Road, Aberdeen	HMO Team, Private Sector Housing Unit	09 February 2021	19 January 2021	23-26
HMO Application (Renewal)	Sandra Douglas + Stewart Property Services	First Floor Flat, 64 Great Western Road	1 Objection	08 November 2021	19 January 2021	27-34
Skin Piercing and Tattooing Licence - Grant	Dorata Alina Michalska	171 Kirkhill Road, Aberdeen, AB11 8FS	Legal	27 February 2021	19 January 2021	35-36
Street Trader Licence - Grant	Nicola Swinburn	Kirkhill Drive, Dyce, Aberdeen	2 Objections	29 June 2021	19 January 2021	37-42

This page is intentionally left blank

## LICENSING COMMITTEE INFORMATION SHEET

19 January 2021

### Public Application

**TYPE OF APPLICATION:** HMO LICENCE APPLICATION (NEW)

**APPLICANT:** RICHARD MAYS

**ADDRESS:** 25 UNIVERISTY ROAD, ABERDEEN

### INFORMATION NOTE

At the date of drafting this Information Note, a new HMO licence cannot be granted for the reason that the applicant has not completed the work & certification requirements to bring the property up to the current HMO standard. The meeting of the Licensing Committee on 19 January 2021, is the last meeting before the one-year statutory deadline for determining this HMO licence application therefore if the property is still unsuitable by the day of the Committee, and the Committee are minded to refuse the application, they must do so at the meeting on 19 January 2021. I will advise the Committee whether the applicant has satisfactorily completed the necessary work & certification requirements.

### DESCRIPTION

The premises at No.25 University Road, Aberdeen, is an upper flat (1<sup>st</sup> floor) providing accommodation of 3 letting bedrooms, one kitchen/diner & one bathroom. The applicant has requested an occupancy of 3 tenants, which is acceptable in terms of space and layout. The application under consideration is a New application.

### CONSULTEES

- Police Scotland
- Scottish Fire & Rescue Service
- A public Notice of HMO Application was displayed outside the building for the 21-day statutory period, alerting the general public to the HMO licence application.

### OBJECTIONS/REPRESENTATIONS

- Police Scotland – no objections
- Scottish Fire & Rescue Service – no objections
- General public – no objections

## COMMITTEE GUIDELINES/POLICY

All applications for HMO licences are dealt with in accordance with the Scottish Government's document:  
*'Licensing of Houses in Multiple Occupation: Statutory Guidance for Scottish Local Authorities'*

### GROUNDS FOR REFUSAL

This application is being dealt with under the provisions of Part 5 of the Housing (Scotland) Act 2006, as amended. Available grounds of refusal are as follows:

- 1) The applicant and/or agent is not considered to be a 'fit & proper' person to hold an HMO licence, and
- 2) The property is unsuitable for occupation as an HMO for one, some or all of the following reasons:
  - i) Its location
  - ii) Its condition
  - iii) Any amenities it contains
  - iv) The type & number of persons likely to occupy it
  - v) Whether any rooms within it have been subdivided
  - vi) Whether any rooms within it have been adapted, resulting in an alteration to the water & drainage pipes within it
  - vii) The safety & security of persons likely to occupy it
  - viii) The possibility of undue public nuisance

### OTHER CONSIDERATIONS

- The applicant is registered as a landlord with this Council and his registration includes 2 rental properties, one of which being No.25 University Road.
- The Council's Anti-Social Behaviour Investigation Team (ASBIT) has no record of any complaints of anti-social behaviour involving the tenants of No.25 University Road.
- The extent of the above-mentioned work & certification requirements is as follows:
  - 1) An IP44 Rated light fitting must be installed to the bathroom/shower rooms if deemed by the current IEE Regulations BS 7671.
  - 2) All faulty/missing light bulbs must be immediately replaced.
  - 3) The number of electrical sockets must meet the following minimum Standard: 6 in the kitchen – 6 in the bedrooms – 6 in the living room – 4 Additional sockets elsewhere in the premises. In this regard ensure that the required number of sockets in each room is readily accessible.
  - 4) A Carbon Monoxide Detector (operated by a long life sealed battery) must be installed within any room where a gas appliance or a flue from such an appliance is located and must be installed in accordance with the manufactures instructions.
  - 5) All room and final exit door locks must be capable of being opened from the inside, without the use of a key. Any door lock not normally in use must be permanently disabled. In this regard a lock with a turn button



would be suitable on the final exit doors and also bedroom doors if they are to be fitted with locks.

- 6) All self-closing doors must be capable of closing fully against their stops from all angles of swing.
- 7) A window in each room must be capable of being easily opened for ventilation. In this regards the bathroom window is required to be repaired/renewed and the window catch located on the bedroom 2 window (left hand opening sash) is required to be renewed. The cracked double-glazed unit located in the utility room is also required to be renewed.
- 8) With regards to the open fire located in bedroom 2, a prohibition notice is required to be prominently displayed on or near the open fire.
- 9) Access to the loft area is to be controlled, as discussed on site.
- 10) A bed, wardrobe and chest of drawers is to be supplied to bedroom
- 11) Installation Condition Report (including Portable Appliance Test certificate) to be submitted to the HMO Unit.

This page is intentionally left blank

## LICENSING COMMITTEE INFORMATION SHEET

19 January 2021

### Public Application

**TYPE OF APPLICATION:** HMO LICENCE APPLICATION (RENEWAL)

**APPLICANT:** SANDRA DOUGLAS

**AGENT:** STEWART PROPERTY SERVICES

**ADDRESS:** 64 GREAT WESTERN ROAD, ABERDEEN (FIRST FLOOR FLAT)

#### INFORMATION NOTE

This HMO licence application is on the agenda of the Licensing Committee for the reason that one letter of representation/objection was submitted to the HMO Unit.

If, after consideration of the representation/objection, the Committee is minded to grant the HMO licence, it may do so under delegated powers for the reason that the necessary upgrading works & certification have not yet been completed. That position may have changed by the day of the Committee, in which case I will advise the Committee accordingly.

#### DESCRIPTION

The premises at No.64 Great Western Road, Aberdeen, is a first-floor flat with accommodation comprising 4 letting bedrooms, one public room, one kitchen & one bathroom. The applicant wishes to accommodate a maximum of 4 tenants, which is acceptable to the HMO Unit in terms of space & layout. The location of the premises is shown on the plan attached as Appendix A.

#### CONSULTEES

- Police Scotland
- Scottish Fire & Rescue Service
- A public Notice of HMO Application was displayed outside the building, alerting the general public to the HMO licence application.

#### REPRESENTATIONS/OBJECTIONS

- Police Scotland – no objections
- Scottish Fire & Rescue Service – no objections
- General public – one letter of representation/objection (Attached as Appendix B).
- Licence-applicant – one letter from the applicant’s agent in response to the letter of representation/objection (Attached as Appendix C)

## COMMITTEE GUIDELINES/POLICY

All applications for HMO licences are dealt with in accordance with the Scottish Government's document:  
*'Licensing of Houses in Multiple Occupation: Statutory Guidance for Scottish Local Authorities'*

## GROUNDINGS FOR REFUSAL

This application is being dealt with under the provisions of Part 5 of the Housing (Scotland) Act 2006, as amended. Available grounds of refusal are as follows:

- 1) The applicant and/or agent is not considered to be a 'fit & proper' person to hold an HMO licence, and
- 2) The property is unsuitable for occupation as an HMO for one, some or all of the following reasons:
  - i) Its location
  - ii) Its condition
  - iii) Any amenities it contains
  - iv) The type & number of persons likely to occupy it
  - v) Whether any rooms within it have been subdivided
  - vi) Whether any rooms within it have been adapted, resulting in an alteration to the water & drainage pipes within it
  - vii) The safety & security of persons likely to occupy it
  - viii) The possibility of undue public nuisance
  - ix) There is, or would be, an overprovision of HMOs in the locality

## OTHER CONSIDERATIONS

- The applicant is registered as a landlord with this Council and the registration includes the first-floor flat at No.64 Great Western Road.
- The Council's Anti-Social Behaviour Investigation Team (ASBIT) has no record of any complaints of anti-social behaviour involving the tenants of the first-floor flat at No.64 Great Western Road.
- The application under consideration is a renewal application.
- The applicant's first-floor flat is located within a 3-storey tenement in Great Western Road. A self-contained ground-floor flat is numbered 62 Great Western Road, and a separate communal staircase leads from the street and serves the applicant's first-floor flat and a top-floor flat, both numbered 64 Great Western Road. The top-floor is also HMO-licensed.

- The letter of objection includes points about noise and the display of the Notice of HMO Application. Members may wish to note the following comments:

### **Noise**

The objector refers to section 4.11 of the Scottish Government's HMO Statutory Guidance which concerns 'Noise Reduction' and states:

*"Noise is a significant source of complaints about HMOs from neighbours, and some physical aspects of the property can add to the problems. Local Authorities should therefore be satisfied that appropriate measures have been taken to minimise noise nuisance, such as the installation of items such as door-closers and extractor fans, and 'deafening' under the floors. For flats with downstairs neighbours the Local Authority should consider requiring that exposed wooden floorboards, laminate, hardwood floorings or tiled floor finishes be provided, in living areas, with a fitted carpet with good-quality underlay and, in kitchen or bathroom areas, with good-quality cushioned flooring such as vinyl."*

During the HMO Officer's recent inspection of the first-floor flat, he noted that laminate flooring was fitted throughout the flat and there were no rugs. Laminate floor should always be laid upon 'quilting' material so as to reduce the transmission of sound but it is impossible to determine whether such quilting material and its thickness has been laid without removing the laminate. That said, whilst the laying of carpet & underlay would certainly reduce the noise transmission between the first-floor flat and the ground-floor flat, it is difficult to independently determine the actual level of the noise being experienced by the objector. Noise from neighbouring flats is inevitable in tenement living although in recent years, the Council has been able to tackle 'anti-social' noise via its Antisocial Behaviour Investigation Team. As mentioned in the 2<sup>nd</sup> bullet-point above, the ASBIT team has no record of any complaint of anti-social behaviour involving the tenants of the first-floor flat therefore the alleged noise nuisance seems confined to 'footfall' and slamming doors. All room doors in HMOs must be fitted with self-closing devices to comply with fire-safety and during his inspection, the HMO Officer identified some door-closers that require adjustment to ensure that the doors close 'softly'.

Members will be aware that the Council does not have a policy in relation to flooring in HMO flats where there are downstairs neighbours. Most HMO licence applications do not attract objections which would suggest that such a policy is not required.

Finally, with regard to the alleged noise from the stairwell adjacent to the ground-floor flat, the HMO Officer examined the operation of the external door and was of the opinion that it was not unduly noisy. That said, the door is immediately adjacent to the ground floor flat therefore it is inevitable that the occupants will hear the door closing. The stairwell and external door is common to the 2 flats at No.64 Great Western Road, and the HMO Officer cannot instruct any works to a common area.

**Notice of HMO Application**

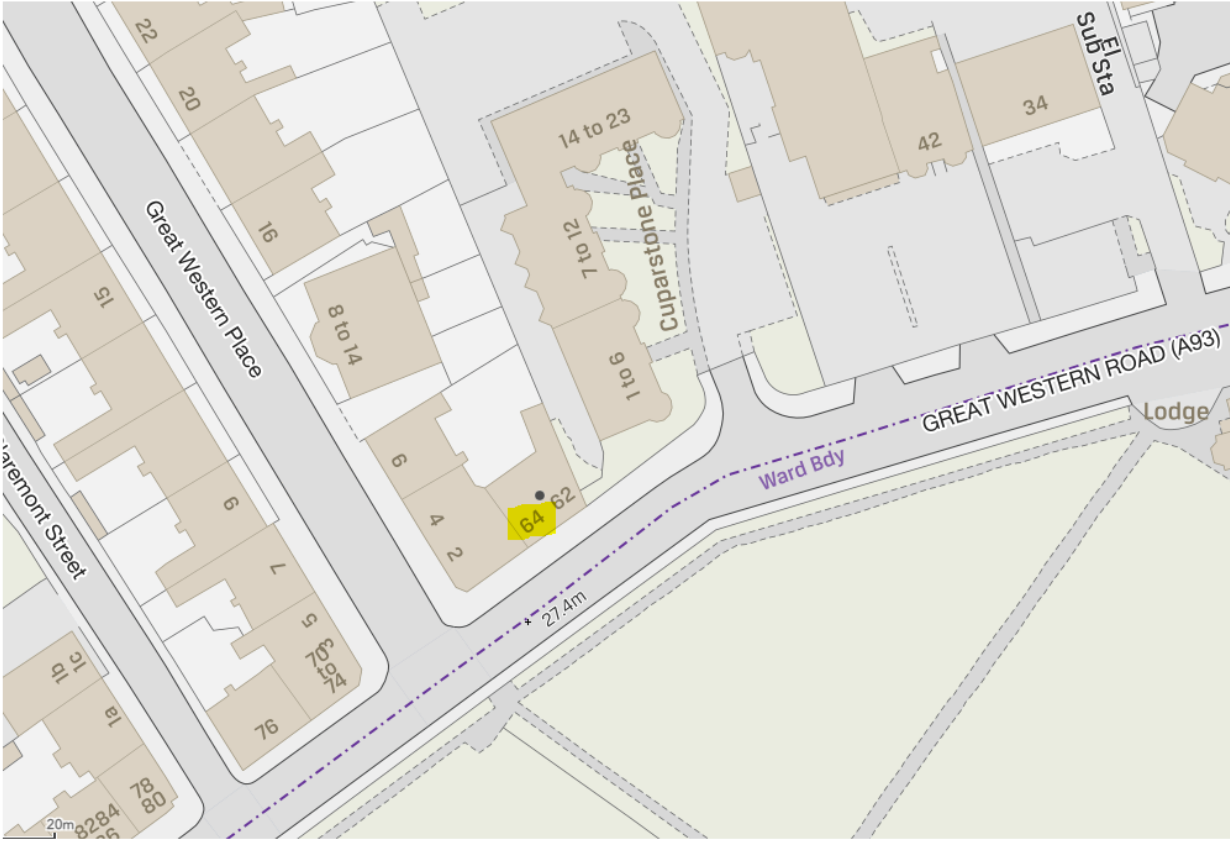
The objector states that the Notice of HMO Application:

*“was displayed around 9 November 2020 for maybe two days but has not been there since”.*

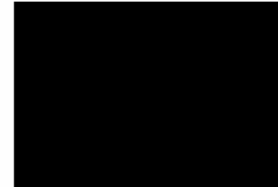
The HMO application was submitted to the Council on 9 November 2020, and the agent subsequently submitted a Certificate of Compliance declaring that the public Notice was on display between 9 November 2020 – 30 November 2020. The letter of representation/objection is dated 27 November 2020 and date-stamped on 1 December 2020 by the Private Sector Housing Unit. Most staff are working from home and only visit Marischal College occasionally therefore the letter might have arrived in Marischal College on 30 November 2020. The letter should therefore be treated as if it was received within the 21-day statutory period.

Finally, with regard to the complaint about the Notice being displayed for 2 days, the Agent refers to same in her letter.

‘A’



‘B’



27/11/2020

HMO Unit  
Operations and Protective Services  
Aberdeen City Council

Dear Sir/Madam,

I am writing to object to the application for an HMO Licence for: Flat 1 64 Great Western Road Aberdeen Aberdeen City AB10 6PY, which was applied for on 09/11/2020.

Firstly, my objection is primarily regarding undue public nuisance. Having lived below the property for the last four years, and had to regularly speak to various groups of tenants about the noise that they made, along with contacting the agent for the property, and the fact that my wife is shortly due our first baby, I feel the need to make my objection formally. Part 4.11 of Licencing of Houses in Multiple Occupation: Statutory Guidance for Scottish Local Authorities directs authorities to consider unacceptable levels of noise, which I believe there has been and will continue to be if the HMO is renewed as it stands.

The guidance suggests a standard of floor coverings, door closers, etc. to minimise noise nuisance – I do not believe this has been done. Living underneath the property, we are regularly disturbed by noise particularly related to doors slamming, heavy footfall, etc. which may not even be realised by the tenants. As the property is also part of a tenement and has communal stairs with another property, I would highlight that the noise from this stairwell and the main entrance door needs addressing. One of our bedrooms is adjacent to these stairs, and it can be quite loud especially during unsociable hours. Noise from the property is sometimes amplified with windows from the property being open onto the communal garden, as it's like a courtyard so noise reverberates around the area. Although I think we are most affected being directly below, there are other properties that all face this garden. I am not objecting to anyone opening their windows; however, I believe this to be a pertinent point regarding undue nuisance to neighbours, again particularly at nighttime.

Secondly, I'd like to note that the Notice of HMO Application was displayed around 09/11/2020 for maybe two days, but has not been there since, and certainly not the statutory 21-day period, as I had to search for the application on the Council's website.

If any further information is required, please do not hesitate in contacting me,

Yours faithfully,

Ross Millar

Aberdeen City Council
Housing & Environment
DATE RECEIVED
01 DEC 2020
Private Sector Housing Unit



‘C’

OUR REF: [REDACTED]

22<sup>nd</sup> December 2020

Aberdeen City Council | Private Sector Housing Unit | Business Hub 6  
Early Intervention & Community Empowerment | Customer  
Marischal College | First Floor South | Broad Street | Aberdeen | AB10 1AB



To whom it may concern,

**REF: HMO LICENCE RENEWAL APPLICATION - 64 GREAT WESTERN ROAD, ABERDEEN (FIRST FLOOR FLAT)**

We write to you as the leasing agent of the above property on behalf of our landlord Sandra Douglas. In reference to your email dated 3<sup>rd</sup> December 2020 in relation to renewal of HMO licence for the above property and the letter of Objection from Ross Miller who resides at [REDACTED] flat below our property.

Stewart Property Services (I am the sole director) have managed property at 64 Great Western Road since 2011 and until this issue, we had never received any complaint regarding this property. The only complaint received was from Mr. Miller who emailed our offices on 23<sup>rd</sup> November 2020 when we acknowledged his complaint and informed the tenants.

Neither neighbours above our property or the adjoining neighbouring building have ever complained. There are two properties in the building of 64 Great Western Road (one each floor), first floor and second floor. The ground floor flat Mr. Miller flat [REDACTED] which is self-contained with his own front door to property from the street. Our tenants access the property by entering the front door on Great Western Road which is located on left hand side of one of Mr Millers windows and the communal hallway of the tenement lies to the adjoining wall to his property.

In regard to Mr. Miller's objection letter he states the following "grounds of **public** nuisance". We fully believe the grounds of **public** nuisance has not been proven as no criminal act has occurred, no criminal wrongdoing, act or emission that obstructs damages, or inconvenience the rights of the community.

Regarding the issue of noise: we believe this complaint is unjustified, as our tenants have a right to enter the building to access their property which we believe is classed as domestic noise from day to day living. The HMO property legally requires self-door closers, to ensure they close fully to the stops which already have a setting to reduce them "slamming shut". The property has laminate flooring throughout the flat and we believe this is insulated and again, no unreasonable noise has been caused at any time. Furthermore, as far as I understand, there has been no engagement with Environmental Health or the Anti-Social Behaviour team.

The complaint has not at any time claimed that the noise from the stairwell was caused by the tenants from the first floor flat.

Opening of Windows: Again, this does not warrant any concerns as every homeowner or tenant has the right to open their windows without causing any issues to the public.



I would also like to raise the matter of the public notices for the HMO licence which have been repeatedly removed by someone after they have been displayed at the property. I am not able to evidence who had removed the mandatory notices however I have replaced these on four occasions since the application was submitted to ensure compliance to the application requirements are maintained.

Please note we have informed the tenants of the noise complaint and they have been fully engaging with myself to negate any issues raised.

Kind regards

[Redacted signature]

Anna Munro

[Redacted footer]

## LICENSING COMMITTEE INFORMATION SHEET

19 JANUARY 2021

**TYPE OF APPLICATION:** SKIN PIERCING AND TATTOOING LICENCE

**APPLICANT:** DOROTA ALINA MICHALSKA

### INFORMATION NOTE

Application must be determined by 27/02/2021

### DESCRIPTION

Skin Piercing and Tattooing Licence

### CONSULTEES

- Police Scotland
- Environmental Health
- Scottish Fire and Rescue Service

### OBJECTIONS/REPRESENTATIONS

Legal – Environmental Health inspection has not been carried out as of 08/12/2020

### GROUNDINGS FOR REFUSAL

A licensing authority shall refuse an application to grant or renew a licence if, in their opinion—

(a) the applicant or, where the applicant is not a natural person, any director of it or partner in it or any other person responsible for its management, is either—

(i) for the time being disqualified from holding a licence, or

(ii) not a fit and proper person to be the holder of the licence;

(b) the activity to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant or renewal of such a licence if he made the application himself;

(c) where the licence applied for relates to an activity consisting of or including the use of premises or a vehicle or vessel, those premises are not or, as the case may be, that vehicle or vessel is not suitable or convenient for the conduct of the activity having regard to—

(i) the location, character or condition of the premises or the character or condition of the vehicle or vessel;

(ii) the nature and extent of the proposed activity;

(iii)the kind of persons likely to be in the premises, vehicle or vessel;

(iv)the possibility of undue public nuisance; or

(v)public order or public safety; or

(d)there is other good reason for refusing the application;

**and otherwise shall grant the application.**

## LICENSING COMMITTEE INFORMATION SHEET

19 JANUARY 2021

**TYPE OF APPLICATION:** APPLICATION FOR A STREET TRADER'S LICENCE  
(EMPLOYER)

**APPLICANT:** NICOLA SWINBURN

**LOCATION:** Kirk Hill Drive, DYCE ABERDEEN

### DESCRIPTION

The application requires to be determine by 29/06/2021

### CONSULTEES

- Police Scotland
- Environmental Health
- Roads

### OBJECTIONS/REPRESENTATIONS

Public Objections x 2

### COMMITTEE GUIDELINES/POLICY

N/A

### GROUND FOR REFUSAL

A licensing authority shall refuse an application to grant or renew a licence if, in their opinion—

(a) the applicant or, where the applicant is not a natural person, any director of it or partner in it or any other person responsible for its management, is either—

(i) for the time being disqualified from holding a licence, or

(ii) not a fit and proper person to be the holder of the licence;

(b) the activity to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant or renewal of such a licence if he made the application himself;

(c) where the licence applied for relates to an activity consisting of or including the use of premises or a vehicle or vessel, those premises are not or, as the case may be, that vehicle or vessel is not suitable or convenient for the conduct of the activity having regard to—

(i)the location, character or condition of the premises or the character or condition of the vehicle or vessel;

(ii)the nature and extent of the proposed activity;

(iii)the kind of persons likely to be in the premises, vehicle or vessel;

(iv)the possibility of undue public nuisance; or

(v)public order or public safety; or

(d)there is other good reason for refusing the application;

**and otherwise shall grant the application.**

Aberdeen City Council

16<sup>th</sup> November 2020

To Whom It May Concern

I am writing on behalf of RWG (Repair & Overhauls) Ltd to object to the parking and operation of a mobile catering van on Kirkhill Drive, Dyce.

The catering van has been parked on Kirkhill Drive since the beginning of November and we understand that the owners have applied for a license which has not yet been granted therefore the van should not currently be parked at this location. I believe the owners have been asked to remove it until the outcome is decided, but I would be obliged if you could confirm this in your acknowledgement to this letter.

We are objecting to the granting of a Food Vendors licence and having the catering van located on Kirkhill Drive for the following reasons:

- We engaged previously with our neighbours (Enovate) when parking was a safety issue on this section of the road and the Council conducted a feasibility study and the findings from this was to lay double yellow lines, however this was never completed as there was always vehicles parked for long periods of time and assume that these are for Offshore Workers
- This is a busy section of road for articulated vehicles from ourselves and neighbouring businesses and we require 24 hour access, with the catering van parked in its current location will create a safety risk for both the vendor and customers having increased foot traffic in this area. Its location causes an issue with the safe movements of longer vehicles.
- There is very little on-street parking for potential customers of the van and it is therefore anticipated that customers would illegally park either on the double yellow line areas nearby or in the vehicular entrances of each building creating a safety risk
- We engage with a pest control company to reduce the seagull population at our Kirkhill and Wellheads locations as we neighbour the airport, having a food van so close to the airfield increases the bird population and potential for increased bird strikes in and around the airport
- There are multiple mobile food options within the close proximity of Kirkhill Drive that are available and no need for a further van
- We strongly believe this location is not suitable due to the health, safety, environment and social concerns explained above, we are also seriously concerned about the inability to safely socially distance during the COVID-19 crisis

Please acknowledge receipt of this letter and if you require any further information, do not hesitate in contacting me.

Ali Brown  
Facilities Supervisor

This page is intentionally left blank





# ROTOJAR®

Aberdeen City Council

13 November 2020

Dear Sir / Madam

I am writing on behalf of Rotojar (UK) Ltd to object to the parking and operation of a mobile catering van on Kirkhill Drive, Dyce.

Rotojar (UK) Ltd has just taken over the tenancy of 20/40 Site 35, Kirkhill Drive and this van is currently parked immediately adjacent to the main pedestrian entrance to our building.

The van in question has been parked on Kirkhill Drive since the beginning of November. We understand that the owners have applied for a license which has not yet been granted therefore the van should not currently be parked at this location. I believe the owners have been asked to remove it until the outcome is decided – but I would be obliged if you could confirm this in your acknowledgement to this letter.

We would like to strongly object to van being located outside our premises on the following grounds:

- SAFETY - The extremely close proximity of the van to our entrance causes a significant obstruction to the safe and sociable ingress and egress of staff and visitors to our building. The pavement is narrow and any queuing customers will severely restrict access to our place of work
- SAFETY - The section of road where the van is parked is not currently subject to double yellow line painting but it is our understanding that the area is indeed designated for double yellow line painting, however, this area is currently extensively used as an unofficial long-term airport car park (which in itself is highly unsatisfactory and is the subject of another communication with the local authority) and the extended periods of vehicle parking have prevented the lines from being applied.
- SAFETY - Irrespective of the presence of double yellow lines, the location of the van is extremely close to the shared main vehicular entrance to our property and our neighbours, and creates a significant hazard in the severe reduction of visibility to vehicles leaving the site and may potentially lead to a road traffic incidents.
- SAFETY - Should the van be relocated a few metres further from our vehicular entrance it will obstruct the junction to the Kirkhill Drive cul-de-sac, causing an equally hazardous restriction to visibility and large vehicle access.
- SAFETY - There is no (or very little) on-street parking for potential customers of the van (due to the long-term parking as previously mentioned) and it is therefore anticipated that these customers would illegally park either on the double yellows nearby or in the vehicular entrance to our place of work
- DAMAGE TO BUSINESS - The nature of our business is the development of high-end decommissioning technologies in which we have very heavily invested, we are also heavily investing in the regeneration of the property to uplift the site and the locale in general. Siting of a dilapidated van in the immediate vicinity significantly detracts from the projected image which we are trying to develop as a local high technology entrepreneurial business.
- HEALTH AND ENVIRONMENT - We would expect there to be littering due to the absence of litter bins as well as the potentially undesirable smell of cooking odours
- INSUFFICIENT JUSTIFICATION - We believe there to be an existing sufficient provision of such mobile catering vans with approximately 6 in the immediate Kirkhill area as well as of course the 'Cloggy house' and all of the recently built hotels' catering facilities.
- BUSINESS COMMUNITY - We have consulted with a number of our immediate neighbours who share our views and who endorse our objection.

**RotoJar (UK) Limited, The Woodshed, Glassel, Banchory, Aberdeenshire, AB31 4DE**  
SC600031 Registered Office 2 Rubislaw Terrace, Aberdeen, AB10 1XE

Tel: 01339 889900

[www.rotobar.com](http://www.rotobar.com)

Page 41



# ROTOJAR®

We strongly believe this location is not suitable due to the health and safety and social concerns explained above we are also seriously concerned about the inability to safely socially distance while accessing our place of work during the COVID-19 crisis.

We would appreciate it if you would take this into consideration and deny the license for siting the van in this location. Further, we would like to thank you in advance for taking the time to consider this objection. Please feel free to contact me should you require any further information.

Yours faithfully

Dr Peter Moyes

Chairman

## ABERDEEN CITY COUNCIL

<b>COMMITTEE</b>	Licensing Committee
<b>DATE</b>	19 January 2021
<b>EXEMPT</b>	No
<b>CONFIDENTIAL</b>	No
<b>REPORT TITLE</b>	Application for changes to the City Centre Taxi Ranks
<b>REPORT NUMBER</b>	COM/21/004
<b>DIRECTOR</b>	Steve Whyte
<b>CHIEF OFFICER</b>	Fraser Bell
<b>REPORT AUTHOR</b>	Ruth Milne
<b>TERMS OF REFERENCE</b>	3

### 1. PURPOSE OF REPORT

- 1.1 To request the following changes to Taxi ranks following discussions with the taxi trade due to current access restrictions on city centre streets through the Spaces for People programme.

### 2. RECOMMENDATION(S)

That the Committee: -

- 2.1 Approves the proposal from ACC Spaces for People Project for the suspension (a) and appointment (b) of taxi ranks as detailed below and as illustrated in Appendices A to G in terms of Section 19 of the Civic Government (Scotland) Act 1982.

(a) Full Time ranks - Suspension

- **Hadden Street:**  
Westbound feeder rank 7 No. stances – as shown in Appendix A
- **Back Wynd:**  
Southbound rank 15 No. stances – as shown in Appendix B

(b) Full Time ranks - Appointment

- **Exchange Street:**  
Northbound 7 No. stances - as shown in Appendix C
- **Rosemount Viaduct:**  
Eastbound 12 No. stances – as shown in Appendix D
- **Exchequer Row/Shiprow:**  
Northbound 10 No. stances – as shown in Appendix E
- **Union Row**  
Southbound 4 No. stances – as shown in Appendix F
- **Justice Mill Lane**

Westbound 3 No. stances – as shown in Appendix G;

- 2.2 Instructs the Chief Officer - Governance to undertake the formal consultation on the proposal to suspend and appoint taxi ranks as detailed in 2.1, in terms of Section 19 of the Civic Government (Scotland) Act 1982 with;
- Persons or organisations appearing to be representative of taxi operators in the area, ie. the Taxi and Private Hire Consultation Group.
  - The Chief Constable, Police Scotland.
  - The Public, by way of notice of the proposal in an advertisement in at least one newspaper circulating in the area giving 28 days for any objections or representations.
  - Aberdeen City Council as the Roads Authority;
- 2.3 Instructs the Chief Officer - Governance, if no objections received through the statutory process, to implement the suspension and appointment of these taxi ranks with the associated number of spaces at the locations detailed in 2.1 allowing the appointments to operate 24 hours a day, 7 days a week; and
- 2.4 Instructs the Chief Officer - Governance to report back to a future meeting of the Licensing Committee on the outcome of formal consultation if objections are received through the statutory process.

### **3. BACKGROUND**

- 3.1 As a result of the existing and impending health risk (at that time) from the COVID-19 pandemic, the UK Government announced on 23 March 2020 that people must stay at home and some businesses had to close.
- 3.2 During this initial lockdown period, the Scottish Government's Spaces for People (SfP) programme was launched. On the 15 May 2020, 9 days after an Urgent Business Committee instruction, officers submitted an application to the SfP fund and on the 26 May 2020, 11 days after submitting the bid, Sustrans awarded the council a £1.76million grant to take forward the Spaces for People measures.
- 3.3 Between 27 May and the 11 June, the Spaces for People interventions in the city centre, and several city district centres were planned and designed. Installation of these interventions started on 12 June and they continue to be monitored, evaluated and adjusted where deemed necessary.
- 3.4 At the Urgent Business Committee, held on the 30 of June 2020, officers reported back to committee on the success in relation to the application for funding, the works completed to date and an outline of future works being considered.
- 3.5 To address the Scottish Government's instructions on travel and physical distancing the Aberdeen SfP programme's desired outcome was to allow the

public to move about safely and travel efficiently, on the public road network. In the case of the busier city/district centre locations, the overriding design rationale was to provide sufficient space for walking, queueing pedestrians and queueing bus patrons to allow the public to observe the physical distancing guidance.

- 3.6 Specifically, in the city centre the section of Union Street between Market Street and Bridge Street, and the busy Belmont Street Area, were closed to motor vehicles whilst still allowing access for pedestrians and cyclists, and with time limited access for loading operations outwith the busiest part of the day.
- 3.7 These restrictions were imposed to allow for pedestrians to observe 2m physical distancing whilst visiting the city centre and feel safe in doing so. Public transport, normally operating within these areas, had then to operate within the remaining street space. Reallocating road space for pedestrians then required alternative kerbside space to be found for vehicles not now permitted in that area, namely the buses, taxis and blue badge holders. Timed deliveries were still permitted. These restrictions have been reviewed by the City Growth and Resources Committee and remain in place.
- 3.8 With access to Back Wynd restricted, taxis cannot legally take access to the taxi rank, such that temporary replacement ranks have been developed. A number of consultations, some specific to the taxi trade, were undertaken offering the opportunity to comment on suggested alternative locations and to identify others. These were well advertised on social media and in the Press to seek to reach as wide an audience as possible. Consultation summary below:

<b>Communication</b>	<b>To</b>	<b>From</b>	<b>Response Nos.</b>
Citizen Space (CS) survey (Public)	20/05/2020	13/07/2020	190
Initial Citizen Space survey (Taxi Trade)	04/06/2020	02/07/2020	166
CS survey on installed measures (Public)	11/06/2020		1153
Commonplace survey (Public)	12/06/2020	13/07/2020	183

- 3.9 A dedicated SfP Taxi Working Group was created on 15 July, as a forum to facilitate dialogue with the taxi trade on locations for temporary ranks and other Spaces for People issues. This Group continues to meet on an ongoing basis approximately every 3 weeks.

<b>Communication</b>	<b>To</b>
City Centre measures start	12/06/2020
Email update issued to members of T&PHCG	17/06/2020
Taxi Working Group (TWG) set up	15/07/2020
Taxi Working Group (TWG) - Updates	31/07/2020
Taxi Working Group (TWG) - Updates	10/09/2020
Taxi Working Group (TWG) - Updates	08/10/2020
Letter to all drivers with rank change proposals	12/10/2020
Taxi Working Group (TWG) - Updates	29/10/2020
Taxi Working Group (TWG) - Updates	19/11/2020

- 3.10 In June a temporary rank was initially installed on Flourmill Lane. However, road safety issues, caused by the positioning of waiting taxis near and in its junction with Upperkirkgate, required that other alternative locations be found. Following consultation with SfP Taxi Working Group a rank has been established by Temporary Traffic Regulation Order on Rosemount Viaduct outside His Majesty's Theatre. Signage has been erected on Back Wynd and Upperkirkgate to direct the public to this new rank and also to the Hadden Street rank.
- 3.11 Through ongoing consultation with the SfP Taxi Working Group several additional temporary ranks have been proposed. Each suggested site has been fully considered, with the most viable emerging as Union Row, Justice Mill Lane and Exchequer Row/ Shiprow sites.
- 3.12 As additional loading restrictions are in place on Market Street to aid the flow for traffic bypassing the closure of Union Street, there has been a need to reallocate road space in this locality. For this reason, the Hadden Street rank has been reconfigured with the feeder rank moved to Exchange Street. This will allow the establishment of a loading bay on the south side of Hadden Street and aid loading for Market Street businesses.
- 3.13 The ranks listed in 2.1 of this report, with the exception of Exchequer Row/Shiprow, have road space preserved for their use i.e., signed and lined and with a Temporary Traffic Regulation Order (TTRO) in place to exclude other vehicles from parking within them. This report will consolidate them with the statutory licensing requirement for these ranks.
- 3.14 A Spaces for People update report was presented to City Growth and Resources Committee on 28 October 2020 which updated the Committee on the measures installed to date and recommended that a further report be submitted to the next Committee on 03 February 2021 to report on the ongoing monitoring of interventions.

3.15 The decisions taken at that meeting on the City Growth and Resources Committee on 28<sup>th</sup> October 2020 were as follows:

(a) Notes it is now seven months since COVID-19 was first detected in Scotland;

(b) Notes Council mobilised to deliver new and existing services for our communities and people particularly at-risk;

(c) Agrees COVID-19 threatens health and life, but also how we live our lives, and the Council working with the UK and Scottish Government is committed to suppressing the virus to the lowest possible level, and keeping it there, until the virus is no longer the threat it is now;

(d) Notes on the 25 May 2020 the Chief Planner and the Minister for Local Government, Housing and Planning, Kevin Stewart MSP wrote to local planning authorities encouraging them to take a; *“supportive, pragmatic and flexible approach to temporary developments and changes of use which would enable businesses to diversify or adjust the way they operate as the lockdown eases and many people can get back to work.”*;

(e) Notes 3.26 of the report *“It is therefore proposed that the programme of works will be further monitored over the coming months and a further report will be brought to the City Growth and Resources Committee on 3 February 2021 for the committee to make a decision on the how they wish the programme to proceed. In drafting the report, NHS Grampian’s Director of Public Health will be consulted in order to establish the level of transmission of the virus within the city, and the Local Police commander will be consulted in order to establish local levels of compliance with the public health measures in order to inform whether the existing measures are adequate”*;

(f) Instruct the Chief Officer – Strategic Place Planning to monitor the remaining interventions and report to the next meeting of this committee at the earliest opportunity, to assess all modal data for the city centre, Rosemount and George Street and Torry and review the requirement for the measures to stay in place, including the possibility of opening Union Street to buses only in consultation with communities and the Disability Equity Partnership (DEP); and access for cars at the top end of Union Street and Market Street

(g) Agree to the removal of the temporary cycle lane at the Beach Esplanade, leaving the one-way system between Beach Boulevard and Wellington Street only, and continue to consult on options which could form part of a Beach Masterplan;

(h) Agree that individuals have a personal responsibility to adhere to Government guidance/legislation in order to protect themselves and other during Covid-19;

(i) Instruct the Chief Officer – Strategic Place Planning to write to Sustrans/Transport Scotland to seek clarification on the date by which the funding must be spent, in the context that National Health Services (NHS), UK and Scottish Government advice suggests that the current pandemic conditions are likely to remain in place throughout the winter, and report back

to the 3 February 2021 City Growth and Resources Committee for direction on the removal of the interventions;

(j) Commends and Instruct the Chief Officer – Strategic Place Planning to work with Sustrans on Sustrans request to undertake a case study of the works undertaken in Aberdeen including the parklets and bus stops for the benefit of other local authorities throughout the UK; and

(k) Note that, as detailed in Appendices 4 and 5, further ongoing engagement with stakeholders has continued throughout which has led to some refinement of the original intervention proposals.

- 3.16 It is considered prudent to formally appoint the proposed ranks, alongside the ongoing monitoring works, to ensure the current and proposed temporary ranks are afforded the proper legal status.

#### 4. FINANCIAL IMPLICATIONS

- 4.1 With reference to paragraph 5.2 below, any costs for signage or lining a rank at these sites have been included in the Spaces for People funding and there will be no additional cost to Aberdeen City Council as a result of establishing temporary taxi ranks. Removal cost on the dissolution of the project measures is also covered within this funding stream.

#### 5. LEGAL IMPLICATIONS

##### Appointment of New Taxi Ranks

- 5.1 Section 19 of the Civic Government (Scotland) Act 1982 authorises a licensing authority to appoint, after consultation, stances for taxis for the whole or any part of a day in any road within their area or on any land owned by the authority or, with the consent of the owner, on any land owned by him. A licensing authority may also from time to time, after consultation, vary the number of taxis permitted to be at each stance and alter the position of such stances or revoke the appointment thereof.
- 5.2 Section 19 further allows a licensing authority to erect and illuminate signs and cause lines or marks to be made on roads, indicating the limits of taxi ranks.

#### 6. MANAGEMENT OF RISK

	Risk	Low (L), Medium(M), High(H)	Mitigation
<b>Financial</b>	The costs of implementing the recommendations and/or the cost of the signs and lining a rank exceed the budget	L	Close monitoring of the costs committed to the work and the budget available.



	provision available.		The cost of the signs and lining a rank are mitigated by prior agreement.
<b>Legal</b>	As per paragraph 5 above.	L	Compliance with the statutory requirements
<b>Employee</b>	There is no risk to employees arising from the recommendations of this report.	L	N/A
<b>Customer</b>	The proposal for new/suspension of temporary Taxi ranks at the listed locations in the city centre, and due consultation, will consider the provision of ranks/taxis for the customers and citizens of Aberdeen	L	The proposal and consultation on these new temporary taxi ranks in the city centre are vital for the continued operation of the taxi trade in Aberdeen and will be of great value to the Citizens of Aberdeen to maintain taxi services in the City.
<b>Environment</b>	There is no risk to the environment arising from the recommendations of this report	L	The unprecedented situation surrounding the Covid-19 situation sees the need for the changes in the taxi rank location and stances and these will revert once the need for the temporary Spaces for People project is removed. There is no significant change in the overall number of ranks and spaces (and therefore taxi vehicles) and therefore no change to the vehicle emissions due to these changes.
<b>Technology</b>	There is no risk to technology arising from the recommendations of this report.	L	N/A
<b>Reputational</b>	As a licensing authority there would be a reputational risk to the Council if it failed to undertake its legal duty to carry out the	L	

	statutory procedure in section 19 of the Civic Government (Scotland) Act for consideration and consultation on any proposed new taxi rank		
--	---	--	--

## 7. OUTCOMES

<b>Local Outcome Improvement Plan Themes</b>	
	<b>Impact of Report</b>
	The proposals in this report have no direct impact on the LOIP.
<b>Design Principles of Target Operating Model</b>	
	<b>Impact of Report</b>
<b>Customer Service Design</b>	These temporary taxi ranks in the city centre will allow the taxi trade to continue to offer the service to residents and visitors to Aberdeen that was provided prior to the national Covid-19 lockdown. A formal consultation is required to be undertaken and the responses considered before a taxi rank can be appointed.
<b>Partnerships and Alliances</b>	Section 19 of The Civic Government (Scotland) Act 1982 requires a formal consultation process to be undertaken before a new taxi rank can be appointed. This includes consulting with representatives of taxi licence holders in the City and members of the public or other interested bodies, including potential customers and users of taxis and any proposed rank, by way of an advertisement in the local press. The Licensing Authority is also required to consult with the Roads Authority and Police Scotland. The Licensing Authority require to consider all responses to the consultation before making a final decision, and therefore all relevant views have been sought and will be considered before any rank is appointed.

## 8. IMPACT ASSESSMENTS

<b>Assessment</b>	<b>Outcome</b>
<b>Equality and Human Rights Impact Assessment</b>	Completed and not required
<b>Data Protection Impact Assessment</b>	Not required
<b>Duty of Due Regard / Fairer Scotland Duty</b>	Not applicable

## 9. APPENDICES (if applicable)

### 9.1 Appendix Details

- Appendix A – Hadden Street
- Appendix B – Back Wynd
- Appendix C – Exchange Street
- Appendix D – Rosemount Viaduct
- Appendix E – Exchequer Row/ Shiprow
- Appendix F – Union Row
- Appendix G – Justice Mill Lane

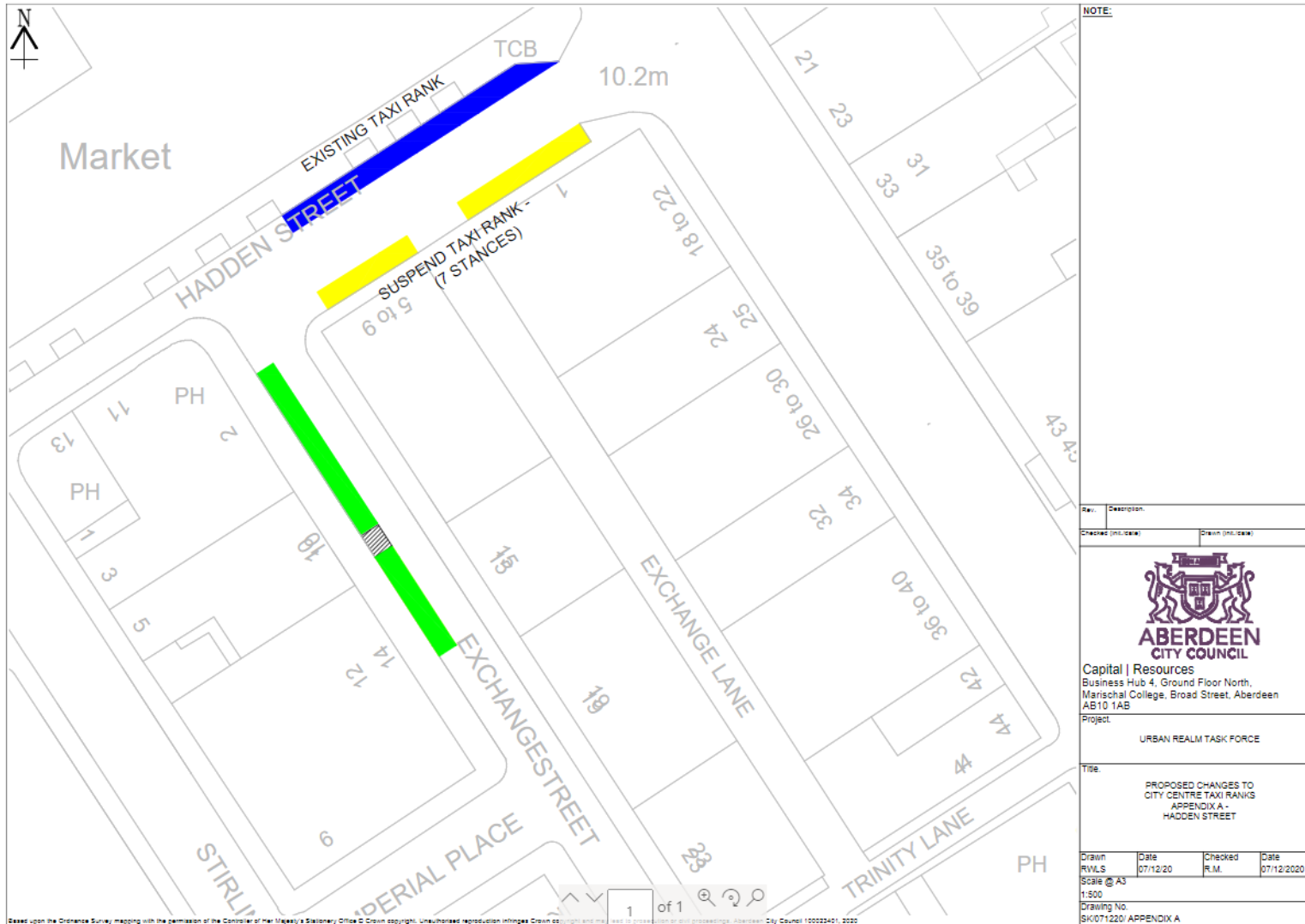
## 10. REPORT AUTHOR CONTACT DETAILS

Ruth Milne

Transport Strategy and Programmes

Rumilne@aberdeencity@gov.uk

APPENDIX A – HADDEN STREET (Suspension)



**NOTE:**

Rev.	Description
Checked (incl. scale)	Drawn (incl. scale)

**ABERDEEN CITY COUNCIL**  
 Capital | Resources  
 Business Hub 4, Ground Floor North,  
 Marischal College, Broad Street, Aberdeen  
 AB10 1AB

Project: URBAN REALM TASK FORCE

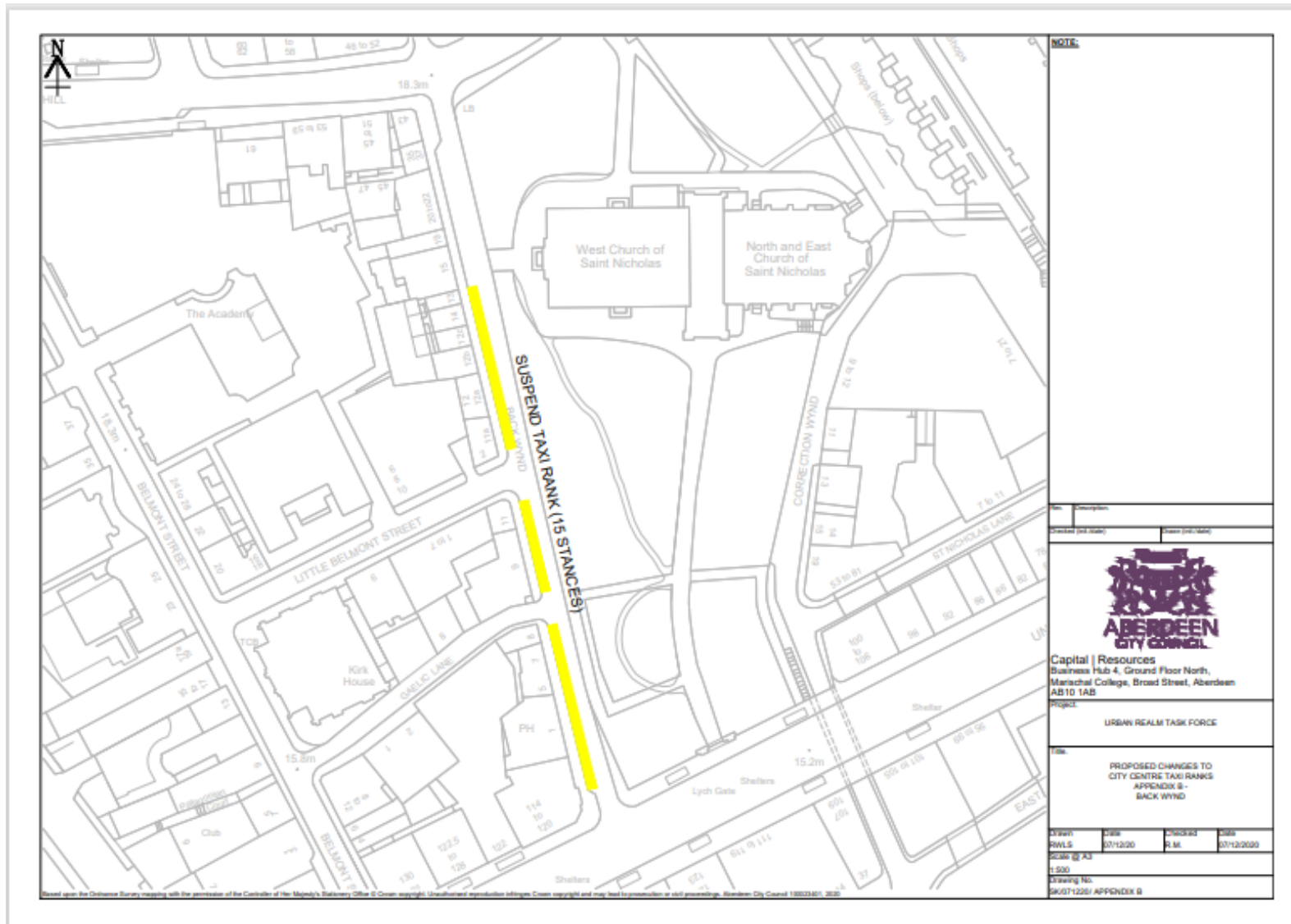
Title: PROPOSED CHANGES TO CITY CENTRE TAXI RANKS  
 APPENDIX A – HADDEN STREET

Drawn	Date	Checked	Date
R.V.L.S.	07/12/20	R.M.	07/12/2020

Scale @ A3  
 1:500  
 Drawing No.  
 SK/071220/ APPENDIX A

Based upon the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Aberdeen City Council 10022421, 2020


APPENDIX B – BACK WYND (Suspension)



APPENDIX C – EXCHANGE STREET (Addition)

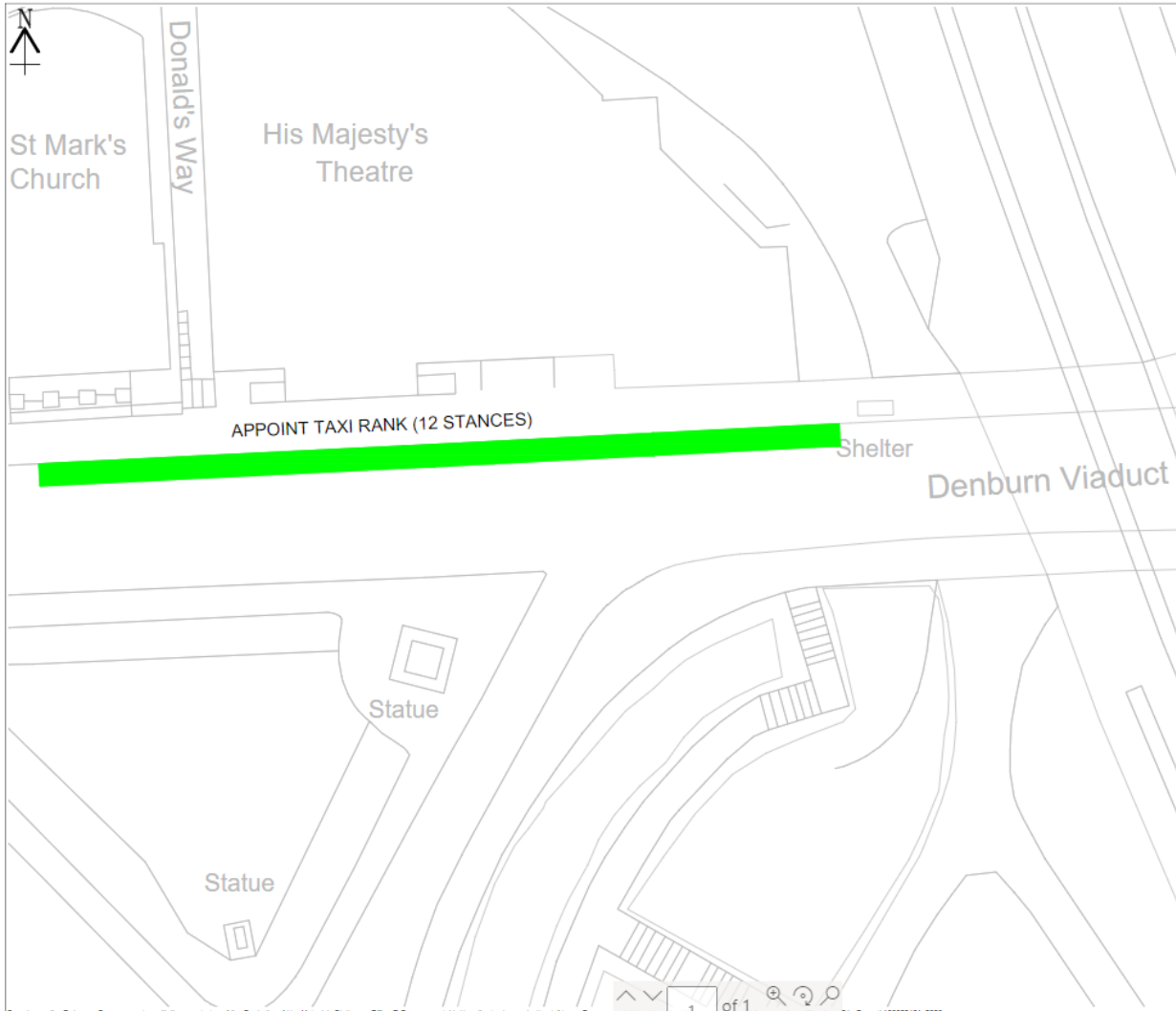


**NOTE:**


Rev.	Description		
Checked (DATE)	Drawn (DATE)		
 <b>ABERDEEN CITY COUNCIL</b> Capital   Resources Business Hub 4, Ground Floor North, Marischal College, Broad Street, Aberdeen AB10 1AB			
Project: URBAN REALM TASK FORCE			
Title: PROPOSED CHANGES TO CITY CENTRE TAXI RANKS APPENDIX C - EXCHANGE STREET			
Drawn RVLS	Date 07/12/20	Checked R.M.	Date 07/12/2020
Scale @ A3 1:500			
Drawing No. SK/071220/ APPENDIX C			

Based upon the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Aberdeen City Council 100020401, 2020

APPENDIX D – ROSEMOUNT VIADUCT (Addition)

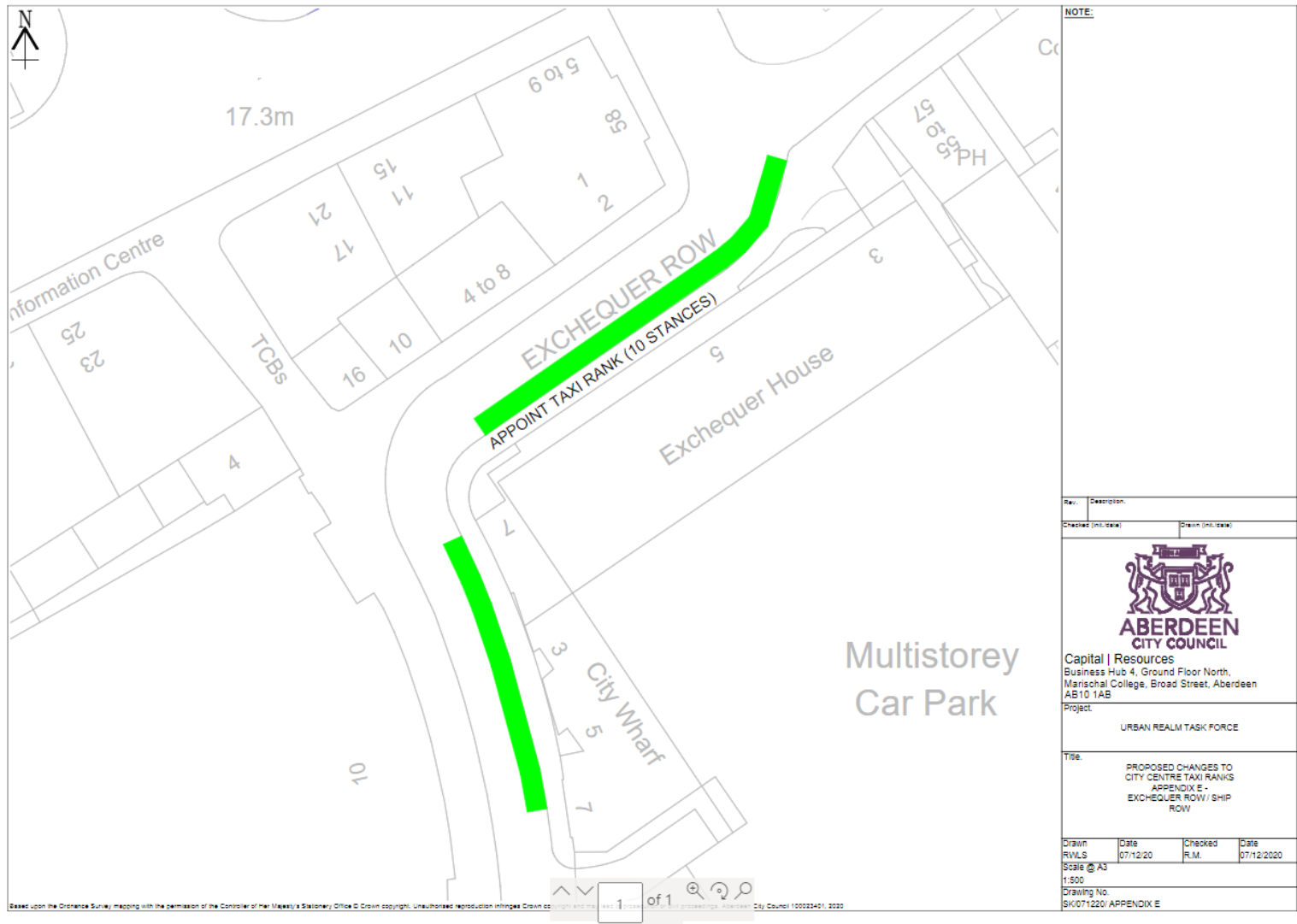


**NOTE:**


Rev.	Description		
Checked (initials)	Drawn (initials)		
 <b>ABERDEEN CITY COUNCIL</b> Capital   Resources Business Hub 4, Ground Floor North, Marischal College, Broad Street, Aberdeen AB10 1AB Project: URBAN REALM TASK FORCE			
Title: PROPOSED CHANGES TO CITY CENTRE TAXI RANKS APPENDIX D - ROSEMOUNT VIADUCT			
Drawn R.V.L.S.	Date 07/12/20	Checked R.L.M.	Date 07/12/2020
Scale @ A3 1:500 Drawing No. SK/071220/APPENDIX D			

Based upon the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution. Aberdeen City Council 10022401, 2020

APPENDIX E – EXCHEQUER ROW/SHIPROW (Addition)

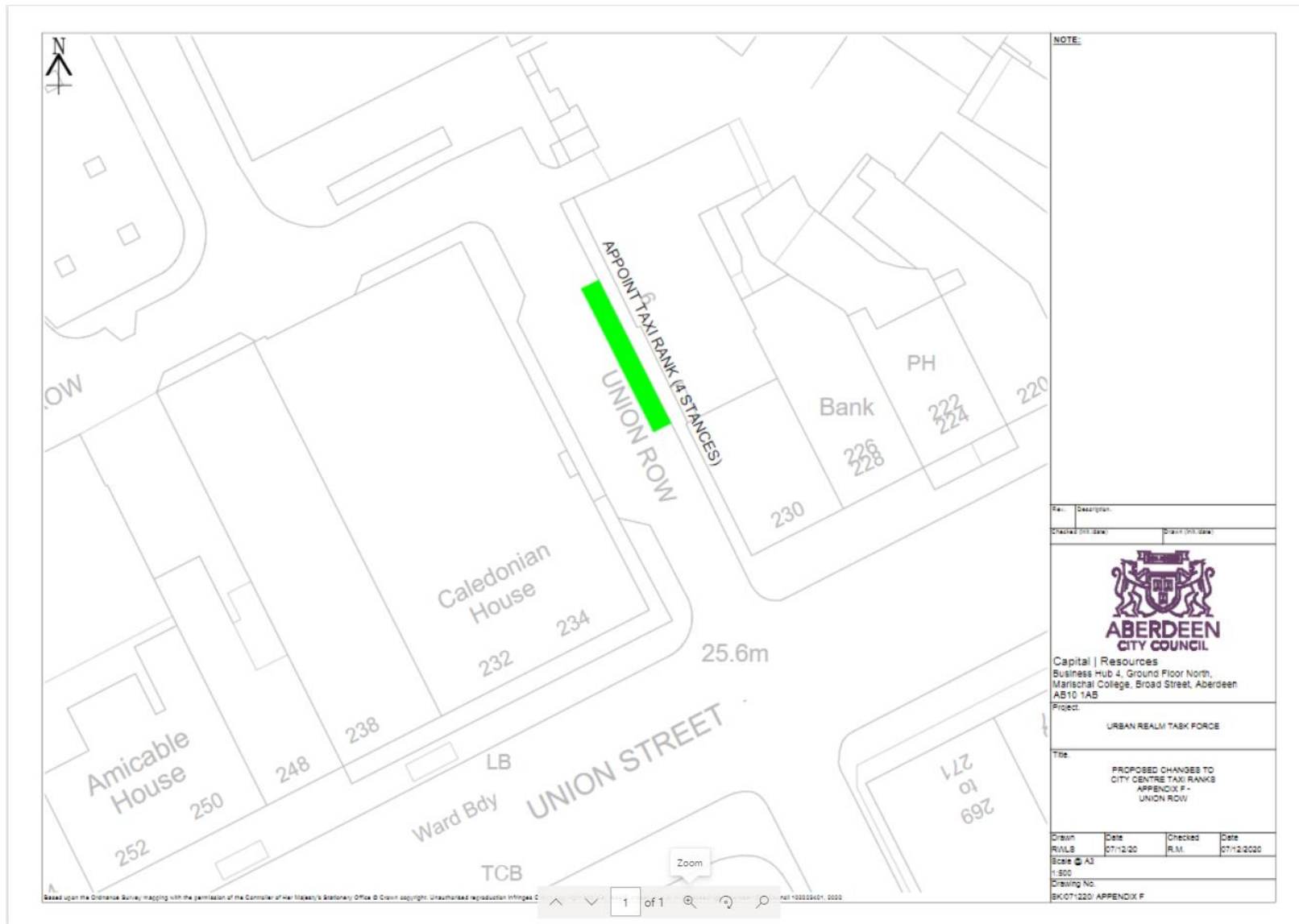


**NOTE:**

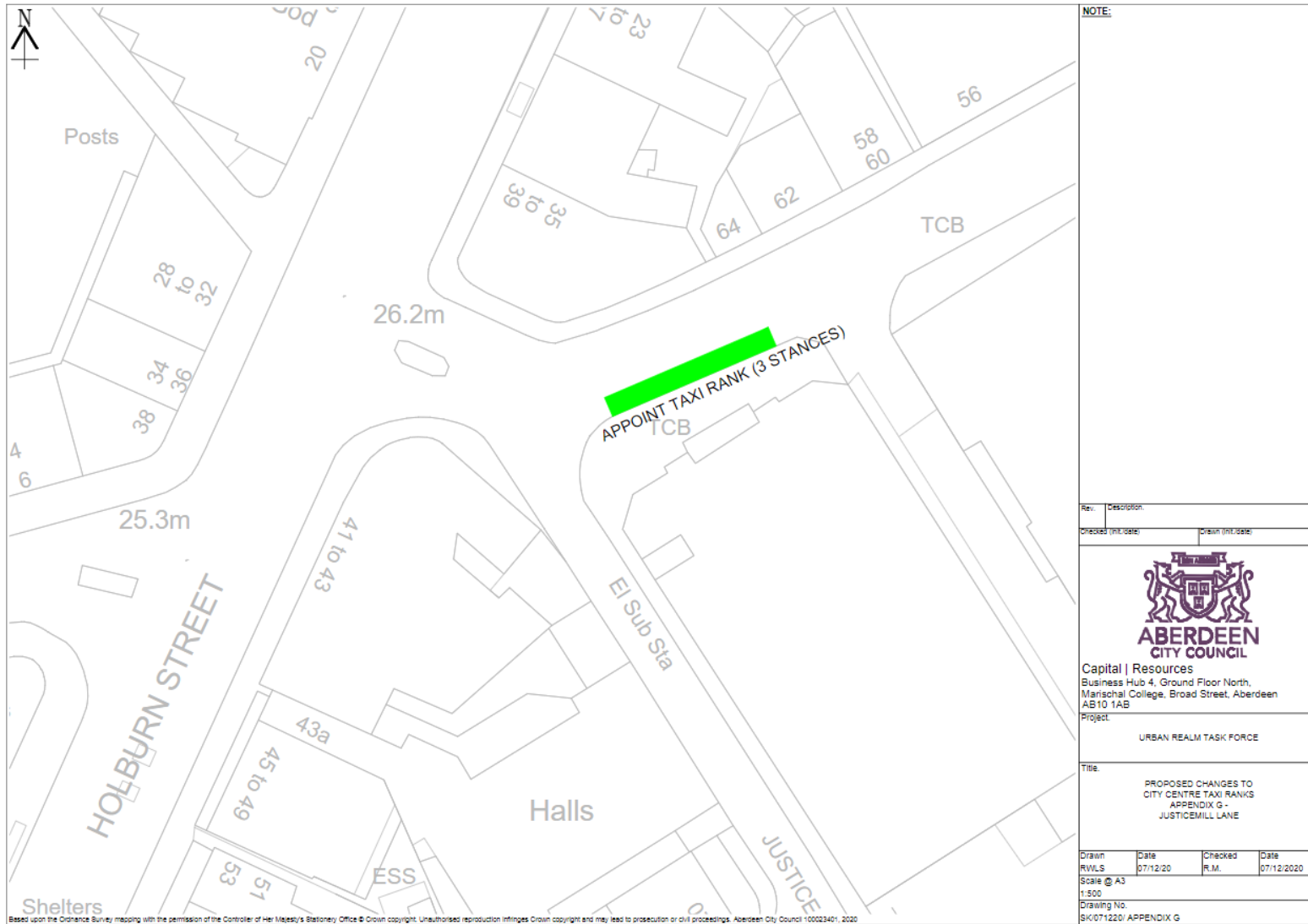
Rev.	Description		
Checked (M.I./Date)	Drawn (M.I./Date)		
 <b>ABERDEEN CITY COUNCIL</b> Capital   Resources Business Hub 4, Ground Floor North, Marischal College, Broad Street, Aberdeen AB10 1AB Project: URBAN REALM TASK FORCE Title: PROPOSED CHANGES TO CITY CENTRE TAXI RANKS APPENDIX E - EXCHEQUER ROW / SHIP ROW			
Drawn	Date	Checked	Date
R.V.L.S	07/12/20	R.M.	07/12/2020
Scale @ A3 1:500			
Drawing No. SK/071220/ APPENDIX E			



APPENDIX F –UNION ROW (Addition)



APPENDIX G – JUSTICE MILL LANE (Addition)



## ABERDEEN CITY COUNCIL

<b>COMMITTEE</b>	Licensing Committee
<b>DATE</b>	19 January 2021
<b>EXEMPT</b>	No
<b>CONFIDENTIAL</b>	No
<b>REPORT TITLE</b>	Safety of Sports Grounds Act 1975 as amended – General Safety Certificate Pittodrie Certificate
<b>REPORT NUMBER</b>	COM/21/012
<b>DIRECTOR</b>	
<b>CHIEF OFFICER</b>	Fraser Bell
<b>REPORT AUTHOR</b>	Arlene Dunbar
<b>TERMS OF REFERENCE</b>	4

### 1. PURPOSE OF REPORT

- 1.1 To request that the Licensing Committee agree to the adoption of the General Safety Certificate issued to Aberdeen Football Club Plc annexed as Appendix 1 to this report and as set out in paragraph below.

### 2. RECOMMENDATION(S)

That the Committee:-

- 2.1 approve the General Safety Certificate Version 2.0 as amended December 2020;
- 2.2 instruct the Chief Officer - Governance to issue the amended certificate to Aberdeen Football Club Plc; and
- 2.3 delegate authority to the Chief Officer - Governance to approve any variation to or deletion of Appendix 6 in respect of COVID 19 measures and to issue an amended certificate, as necessary.

### 3. BACKGROUND

- 3.1 In terms of the Safety of Sports Grounds Act 1975 (as amended) any sports stadium which has accommodation for more than 10,000 spectators shall require a Safety Certificate.
- 3.2 The Act defines a sports ground as: 'A place where sports or other competitive activities take place in the open air, and where accommodation has been provided for spectators, consisting of artificial structures or of natural structures artificially modified for the purpose.'

The only sports ground which currently meets the relevant statutory requirements in Aberdeen City is Pittodrie Stadium.

- 3.3 A safety certificate sets the permitted capacity for a sports ground together with the detailed terms and conditions with which the ground management must comply in order to operate the sports ground at its permitted capacity.
- 3.4 The [Guide to Safety at Sports Grounds \(Green Guide\)](#) provides detailed guidance on calculating how many spectators can be safely accommodated within the viewing accommodation of a sports ground. The Guide also provides advice on measures to improve safety at sports grounds. An updated version (version 6) of the Green Guide was recently published.
- 3.5 The following amendments have been made to the certificate:
- a) References to the Green Guide have been updated to reflect the provision contained in the 6<sup>th</sup> edition;
  - b) Addition of Appendix 6 to take account of physical distancing as required during COVID 19 and
  - c) General formatting changes
- 3.6 Due to the technical nature of the work involved an advisory group made up of officers and partner organisations meets regularly to deal with relevant matters and in particular to review the terms and conditions of the Safety Certificate. The Sports Ground Advisory Group have no objections to the proposed amendments and recommend that the draft Certificate be approved.
- 3.7 Due to the current uncertainty and every changing requirements of the COVID 19 pandemic, it is recommended that the Committee delegate to the Chief Officer, Governance the authority to issue an amended certificate where there is a variation to or deletion of appendix 6.

#### **4. FINANCIAL IMPLICATIONS**

- 4.1 There are no direct financial implications arising from the recommendations of this report.

#### **5. LEGAL IMPLICATIONS**

- 5.1 If the Safety Certificate is not approved by the Committee Aberdeen Football Club would be unable to carry out their specified activities including association football, Rugby Union and other sporting event(s) attended by more than 500 spectators.
- 5.2 If there was a decision to refuse to amend the certificate, the certificate holder can appeal this decision to the Secretary of State. Given that in this event the club would be unable to admit spectators to the stadium, it is likely such an appeal would be made.

## 6. MANAGEMENT OF RISK

Category	Risk	Low (L) Medium (M) High (H)	Mitigation
<b>Strategic Risk</b>	N/A	N/A	N/A
<b>Compliance</b>	Non compliance by Aberdeen City Council with the Safe of Sports Ground Act 1975	L	Ensuring that the Certificate is up to date and monitored on a regular basis.
<b>Operational</b>	N/A	N/A	N/A
<b>Financial</b>	N/A	N/A	N/A
<b>Reputational</b>	The Safety Certificate is likely to be of interest to the public, football fans and the press and failure to renew it may cause reputational damage to the authority	L	Ensuring that the Certificate is up to date, issued and monitored on a regular basis.
<b>Environment / Climate</b>	N/A	N/A	N/A

## 7. OUTCOMES

7.1 The proposals in this report have not impact on the Council's Delivery Plan.

## 8. IMPACT ASSESSMENTS

Assessment	Outcome
<b>Impact Assessment</b>	not required
<b>Data Protection Impact Assessment</b>	not required

## 9. APPENDICES

9.1 Appendix 1 – Safety Certificate Version 2.0

## 10. REPORT AUTHOR CONTACT DETAILS

<b>Name</b>	Arlene Dunbar
<b>Title</b>	Accredited Paralegal
<b>Email Address</b>	<a href="mailto:ardunbar@aberdeencity.gov.uk">ardunbar@aberdeencity.gov.uk</a>
<b>Tel</b>	01224 523411

This page is intentionally left blank

# **Aberdeen City Council**

**SAFETY OF SPORTS GROUND ACT 1975**

**AS AMENDED**

**GENERAL SAFETY CERTIFICATE  
FOR A DESIGNATED GROUND  
KNOWN AS**

**Pittodrie Stadium  
Pittodrie Street,  
Aberdeen, AB24 5QH**

## AMENDMENTS TO GENERAL SAFETY CERTIFICATE

<b>Date</b>	<b>Version Number</b>	<b>Description of Changes</b>
June 2017	Version 1.0	Amendment to Clause 37 Amendment to Appendix 6 Amendment to Appendix 7 General formatting changes
<b>December 2020</b>	<b>Version 2.0</b>	Update to reflect 6 <sup>th</sup> edition of the Green Guide Insertion of a new Appendix 6 to take account of physical distancing as required during COVID 19 General formatting changes



# **SAFETY AT SPORTS GROUND ACT 1975**

## **AS AMENDED**

### **GENERAL SAFETY CERTIFICATE**

#### **INFORMATION**

**The certificate holder should be aware of all the provision of the Safety of Sports Grounds Act 1975, which are relevant to stadia within its scope.**

**The following points are particularly important, but reference should be made to the Act itself for authoritative information,**

#### **1. Right of Entry and Inspection**

Section 11 of the Act gives authorised officers the power to enter and inspect a sports ground and to make any inquiries as are considered necessary for the purposes of the Act. Authorised officers also have power to examine records of attendance at the ground and records relating to the maintenance of safety at the ground.

#### **2. Alterations and Extensions**

Section 8 of the Act requires that no alteration or addition shall be made to any part of the stadium, its buildings, structures and/or installations, whether permanent or temporary, which is likely to affect the safety of persons at the stadium, without the prior written consent of the designated Officer of the Council. Execution of any work for which consent has been granted shall require to be carried out to the reasonable satisfaction of the designated Officer of the Council.

#### **3. Offences and Penalties**

- (a) Contravening any term or condition of this certificate (otherwise than in pursuance of a prohibition notice), admitting spectators to the sports ground at a time where no application for a safety certificate has been made or where a certificate does not relate to the current sports ground or has been withdrawn, surrendered or cancelled; or in contravention of a prohibition notice, the penalty is, on summary conviction, a fine not exceeding, the statutory maximum or, on conviction on indictment, a fine or imprisonment for a term not exceeding two years or both.
- (b) Knowingly or recklessly making a false statement or producing, signing, furnishing or otherwise making use of a document containing a false statement, or

Intentionally obstructs any person in the exercise of powers under section 11, or without reasonable excuse refuse, neglects or otherwise fails to answer any question asked by a person in the exercise of such powers, or

Fails to give notice of an alteration or extension to the sports ground the penalty is on summary conviction, a fine not exceeding level 5 on the standard scale.

#### 4. Prohibition Notices

Section 10 of the Act (as amended) provides that if the local authority are of the opinion that the admission of spectators to a sports ground or any parts of a sports ground involves or will involve a risk to them so serious that, until steps have been taken to reduce it to a reasonable level, admission or spectators to the ground or that part of the ground ought to be prohibited or restricted, the authority may serve a notice (referred to as a "prohibition notice" on the Holder or the general safety certificate or the person responsible for the management of the ground, prohibiting or restricting the admission of spectators.

#### 5. Appeals

Section 5(3) of the Act (as amended) provides that an interested party may appeal by summary application against the including of anything, in, or the omission of anything from, a safety certificate or the refusal of the local authority to amend or replace a safety certificate

#### 6. Transfer of the Certificate

If the holder of the safety certificate ceases to be the person responsible for the management of the ground, an application must be made with the Council for the transfer of the certificate to some other qualified person.

#### 7. Legislation

Management shall take all reasonable steps to ensure that they are aware of the general impact of the following, non-exhaustive list of legislation:

- a) Building (Scotland) Act 2003;
- b) Civil Contingencies Act 2004;
- c) Criminal Law (Consolidation) (Scotland) Act 1995;
- d) Equality Act 2010;
- e) Fire Safety (Scotland) Regulations 2006;
- f) Fire (Scotland) Act 2005;
- g) Health and Safety at Work etc. Act 1974;
- h) Licensing (Scotland) Act 2005
- i) and any other relevant legislation that may have safety implications for all people present in the stadium both pre and during a specified activity.

**SAFETY AT SPORTS GROUND ACT 1975**  
**AS AMENDED**  
**GENERAL SAFETY CERTIFICATE**  
**ARRANGEMENT**

Clauses 1 to 32	Terms and conditions of the General Safety Certificate
Appendix 1	Specified Activities
Appendix 2	Attendance Limits
Appendix 3	Table of Inspecting, Testing and Recording of the Stadium
Appendix 4	List of Deviations
Appendix 5	Layout of Stadium
Appendix 6	COVID 19

## SAFETY OF SPORTS GROUND GROUNDS ACT 1975

### GENERAL SAFETY CERTIFICATE

**Pittodrie Stadium, Pittodrie Street, Aberdeen,**

In exercise of the powers conferred by the Safety of Sports Grounds Act 1975 as amended, and all other enabling powers, **Aberdeen City Council**, (“the Council”) hereby issues to: -

**Aberdeen Football Club Plc**

(‘the Holder’), this General Safety Certificate in respect of

**Pittodrie Stadium,  
Pittodrie Street, Aberdeen**

being a sports ground so designated by the Secretary of State under The Safety of Sports Grounds (Designation) (Scotland) Order 1998/1601 as requiring a Safety Certificate.

1. This Certificate includes the Appendices numbered 1- 6 and Plan(s) attached hereto.
2. This Certificate shall be interpreted in accordance with relevant statutory provisions and the following:

<i>the Act</i>	means the Safety of Sports Grounds Act 1975 as amended
<i>Authorised Person</i>	means a person authorised in accordance with Section 11 of the Act to enter a sports ground and make inspection and enquiries relating to it as he considers necessary for the purposes of the Act
<i>Environmental Health Service</i>	means the Environmental Health Authority of Aberdeen City Council, Marischal College, Broad Street, Aberdeen AB10 1AB
<i>The Chief Constable</i>	means the Chief Constable of Police Service of Scotland or his/her authorised representative
<i>The designated Officer of the Council</i>	means the Chief Officer, Governance, Aberdeen City Council, Marischal College, Broad Street, Aberdeen AB10 1AB or his/her authorised representative, contactable through Legal Services, Aberdeen City Council, Marischal College Broad Street, Aberdeen AB10 1AB or <a href="mailto:Licensing@aberdeencity.gov.uk">Licensing@aberdeencity.gov.uk</a>

<i>the Chief Fire Officer</i>	means the Chief Fire Officer of The Scottish Fire and Rescue Service or his/ her authorised representative
<i>The Fire Authority</i>	means The Scottish Fire and Rescue Service.
<i>Regional Director</i>	means the Regional Director for North Division of the Scottish Ambulance Service
<i>the Guide</i>	means the 'Guide to Safety at Sports Grounds' sixth edition, published 2018 by the Sports Grounds Safety Authority
<i>the Holder</i>	means the applicant for, and the person to whom this Certificate is issued, being a qualified person for the purposes of the Act
<i>the Plan</i>	means the drawing(s) of the stadium attached to this Certificate dated December 2020 in terms of Section 2(4) of the Act.
<i>P and S factors</i>	means the mathematical formula by which both the physical condition of the stadium ('P factor') and the quality of the safety management of the stadium ('S factor') are assessed as per Clause 12

### **3. Terms and Conditions of Issue of General Safety Certificate**

- (1) This Certificate is issued under the following terms and conditions. No variation to said terms and/or conditions shall be permitted without the designated Officer of the Council's prior written approval.
- (2) The Holder shall comply with the terms and conditions of this Certificate, so far as reasonably practicable, whilst the stadium is in use for a specified activity as noted in Appendix 1 herein.
- (3) The Holder shall comply with the recommendations contained in the Guide, so far as reasonably practicable, insofar as the said recommendations are not substituted, amended, modified, extended or otherwise altered by all or any of the terms and/or conditions contained in this Certificate. The Holder shall ensure that all elements of the stadium comply with the recommendations noted in the Guide, so far as reasonably practicable.

#### **4. Deviations**

- (1) In the event of non-compliance with the terms of clause(s) 3(2) and/or 3(3) above, the Holder must provide a list of current deviations. The list must comprise the following:
  - (a) the expected standard to be provided in accordance with the Guide ('the required standard');
  - (b) the specific section(s) of the Guide to which the required standard relates;
  - (c) reason(s) why the required standard cannot be maintained ('deviations')
  - (d) risk assessment and
  - (e) any recommended upgrading works that may require to be undertaken, so far as reasonably practicable, in relation to the deviations.
- (2) Said deviations shall only be acceptable to the designated Officer of the Council if s/he considers them, with reference to the specific circumstances of each case, to be both necessary and where it can be demonstrated that the alternative measures are able to achieve an equal or greater degree of safety than those recommended in the Guide.. Any deviations shall also require the written consent and approval of the designated Officer of the Council. The current list of deviations forms Appendix 4 of this document.
- (3) In the event that there are any subsequent substitutions, amendments, modifications, extensions or otherwise to any deviations, the Holder shall notify the designated Officer of the Council in writing as soon as possible from the date of occurrence.

#### **5. Operational Control**

The Holder shall be solely responsible for, and retain operational control of, the whole and each part of the stadium including any installations and/or buildings and shall take all necessary precautions for the safety of all people admitted to the stadium at all times. While responsibility for the safety of all people present in the ground lies at all times with the management, the presence of the police may be required or requested to maintain public order and prevent the commission of offences.

The Holder should not plan for or rely on the presence of police officers to overcome inadequacies in safety management at the ground.

#### **6. Statement of Intent**

- (1) If there is to be a police presence in or at the sports ground, management should consult with the police in advance and draw up a Statement of Intent. This statement should set out:

- (a) the demarcation of responsibility(ies) and function(s) between the police and the Holder in relation to the safety management of the stadium and
  - (b) which individual(s) will assume certain responsibilities in particular circumstances and what those responsibilities and circumstances are.
- (2) Said Statement of Intent is a management statement and shall not at any time be construed as constituting an implied or explicit request for police services and shall not at any time be held to be legally binding upon any party.

## **7. Police Officer and Steward numbers**

The Chief Constable shall, in agreement with the Holder, will advise the Club on the Category of the match and will make a determination with regards to the total number of police officers and stewards required to ensure the safety of, and lawful and orderly conduct of, persons in attendance during a specified activity. The expense of said police officers and stewards shall be met wholly by the Holder.

The Holder, following consultation with Police Service of Scotland may determine that specific football fixtures at the stadium are categorised as 'Category CS - Club Security Only', or completely 'Police Free', with no Police Officers or Police Staff deployed within the football stadium in respect of that activity. In that event, it will be the responsibility of the Holder to determine the total number of stewards required in accordance with their stewarding plan.

## **8. Spectator numbers**

The Holder shall ensure that the maximum number of spectators who may be admitted at any one time to the stadium and to each part thereof shall not exceed the attendance limits as specified in Appendix 2. The maximum capacity figures detailed in Appendix 2 may be reduced by the designated Officer of the Council following receipt by and consideration by him/her of the following reports, namely, the:

- (a) deviation report as per Clause 4 of this Certificate;
- (b) the fire risk assessment as per Clause 16;
- (c) the P & S Factor report as per Clause 11 (3) and
- (d) a structural report

The Holder shall also retain written records of the total number of spectators admitted to each part of and to the whole of the stadium for a period of no less than five years. Said records shall also be made available for inspection to an authorised person upon his/her request.

## **9. Record Keeping**

- (1) Responsibility for the keeping of comprehensive and accurate records shall at all times remain with the Holder. In addition to the record keeping obligations as detailed in Appendix 3 herein, records shall also be kept of the following:
  - (a) details of all first aid and/or medical treatment provided to persons either attending an event at the stadium or persons employed by the Holder both prior to and during any specified activity. This obligation shall include details of any onward destination of the person(s) post treatment at the stadium. Said duty shall be without prejudice to any need to maintain medical confidentiality of the person(s) being treated.
  - (b) details of the medical personnel and resources in place,
  - (c) details of all pre-event briefing of stewards and where appropriate any training given to stewards;
  - (d) details of all emergency drills and/or evacuation exercises plus any incident that may test the implementation of the contingency plan;
  - (e) details of any non-routine openings of an exit door, barrier or gate;
  - (f) details of all fire alarm activations and of all fires. This obligation shall be without prejudice to fire safety duties as specified in Clause 16 below;
  - (g) reports of any significant motion of the structure in accordance with section 5.5 of the Guide;
  - (h) details of all defects relating to the safety of the ground arising from the event and the action taken to rectify said defects.
  - (i) details of all pre-event inspections.
  - (j) details of the names of both the Safety Officer and Deputy Safety Officer as per Clause 12 below including the dates both said Officers were appointed;
  - (k) the number of spectators admitted to the ground, and where appropriate, to each section of the ground;
  - (l) incident forms recording any accident or incident which might have led to an accident.



- (m) details of any assumption of control by the police;
- (n) details of any evidence gathering for further action by the authorities
- (o) completion of any post event reports where appropriate.

The above list is not intended to be a comprehensive list for all circumstances.

- (2) The foregoing records shall be kept for a period of no less than five years.

## **10. Risk assessments**

The Holder shall ensure that pre-event, site specific risk assessments as are deemed necessary for the protection and promotion of public safety shall be carried out by competent persons with the appropriate skills and experience for all specified activities. Said risk assessments shall include but not necessarily be limited to those risk assessments as detailed in the Guide and shall follow those steps listed in Section 3.3(d) of the Guide. Records of said risk assessments shall be kept for a period of no less than five years and the Holder shall, upon request from the designated Officer of the Council, submit to the designated Officer of the Council copies of the same risk assessment(s) so requested by him/her.

## **11. P and S Factors**

- (1) The Holder shall ensure that the 'P' and 'S' factors are reassessed annually and shall ensure that said factors consider any risk assessments that are undertaken in accordance with Clause 10 above.
- (2) The Holder shall also ensure that the 'P' and 'S' factors are additionally reassessed upon the occurrence of one or more of the following, namely:
  - (a) any physical alteration to the stadium;
  - (b) any change in the nature of the event;
  - (c) any change in the nature of safety management structure and
  - (d) any change in the nature of personnel.
- (3) Any reassessment(s) of the 'P' and 'S' factors shall be undertaken in accordance with the general provisions of the Guide. The designated Officer of the Council shall be notified immediately of a requirement to reassess in the event of the occurrence of one or more of (a) to (d) above.

## **12. Safety Officer and Deputy Safety Officer**

The Holder shall appoint an occupationally competent Safety Officer and Deputy Safety Officer in accordance with section 3.7 of the Guide. In order to discharge properly their functions, both said Officers shall meet the requirements as detailed in section 3.8 of the Guide. The Holder shall also have in place a written Spectator Safety Policy, also known as an Event Safety Policy as noted in section 3.5 of the Guide. Said Policy shall clearly indicate those provisions listed in section 3.5 of the Guide and shall include the duties of both the Safety Officer and Deputy Safety Officer. The Policy and/or any subsequent revision(s) to it shall be signed and dated by the person identified with ultimate responsibility on behalf of the ground management and it shall be submitted to the designated Officer of the Council within fourteen days of execution for his/her approval.

## **13. Chain of command**

- (1) To ensure the implementation of the Spectator Safety Policy as detailed in Clause 12 above, the Holder shall ensure that said document clearly outlines a safety management structure or chain of command which identifies the structure of personnel within the stadium including details of one's immediate superior in that chain of command.
- (2) The substantive of the Policy shall also ensure that each and every member of stadium personnel have a clear understanding of the following non exhaustive list:
  - (a) his/her respective role(s) and function(s) within the chain of command;
  - (b) a clear understanding of the overall decision making process in relation to safety matters and
  - (c) the role of ground management in relation to ground managements' control and supervision over safety issues.
- (3) Ground management shall also ensure that identification of the said chain of command shall facilitate and be conducive to the following:
  - (a) the speedy and accurate monitoring of spectator safety issues;
  - (b) the coordination of any follow up action on structural and/or safety management issues that may require to be taken and
  - (c) communication(s) with external agencies to ensure that safety procedures are being followed effectively.

## **14. Stewarding**

- (1) While members of the public are inside the sports ground, it is the responsibility of management to ensure that sufficient safety staff are on duty. A detailed risk assessment should be undertaken for each event before determining the final number, location and duties of all safety staff,

including stewards. The event specific risk assessment should include those matters set out in 3.11 of the Guide.

- (2) the Holder shall ensure that all stewards:
  - (a) carry out their duties as specified in section 4.6 of the Guide in addition to any other specified duties that may be so required of him/her;
  - (b) are able to understand and communicate verbal and written instructions in English;
  - (c) fully meet the training requirements in accordance with Section 4.10 of the guide in addition to any other training requirements that may be so required;
  - (d) are issued with a safety handbook which shall detail in full the duties and responsibilities that a steward may be required to undertake pre-event, during an event and post event. Said duties and responsibilities shall be summarised on a check list card which shall be carried by all stewards at all times during a specified activity. Said documentation shall be available for inspection by an authorised person upon his/her request.
- (3) The Holder shall also ensure that any contract or agreement with an external body(ies) for the supply of stewards shall include those specifications as detailed in Section 4.15 of the Guide.

(4) Stewarding Plan

Following the risk assessment outlined in 3.11 of the Guide, it is the responsibility of management to draw up a Stewarding plan.

This plan will set out the proposed number of stewards to be deployed, according to the size and configuration of the ground, the nature of the event and any other relevant factor. It will also set out the roles each steward will take and where he or she will be deployed.

The number of stewards deployed should not fall below the minimum number specified in the stewarding plan.

Any agency or external security service provider will be monitored throughout season for performance by management and in particular match day safety officers.

Any agency or external security service provider is to be provided with stewarding deployment plans pre-season by Aberdeen FC.

## **15. Contingency Plan**

- (1) The Holder shall ensure that a contingency plan is drawn up and put in place in accordance with the general guidance in Sections 3.15 – 3.22 (inclusive) of the Guide.

- (a) The contingency plan shall be reviewed annually and after any incident or significant threat of an incident. A copy of said plan shall be submitted to the designated Officer of the Council within a reasonable timeframe of any annual or subsequent review.
  - (b) Exercises to test the effectiveness of aspects of the contingency plan shall also be staged at least once a year in consultation with the designated Officer of the Council and relevant emergency services
  - (c) The contingency plan shall be consistent at all times with any emergency plan(s) prepared by any of the emergency services.
- (2) An exercise to test the effectiveness of an evacuation of all persons within the stadium in the event of an incident occurring shall be carried out on a minimum six-monthly basis by the Holder and/or his/her authorised representative. In relation to the carrying out of said exercise, the Holder shall retain records of the following:
- (a) the total duration of the exercise;
  - (b) detail(s) of specific instruction(s) given prior to and throughout the exercise;
  - (c) the name(s) of instructing personnel involved in the testing of the exercise;
  - (d) the outcome of the exercise and
  - (e) recommendations (if any) that require to be made to ensure the safety of all persons within the stadium in the event of a future incident occurring.
- (3) The Holder shall also give no less than fourteen days prior notice in writing of the intention to hold an exercise as per Clause 15 (2) above both to the designated Officer of the Council and to the Fire Authority.

## **16. Fire Safety**

- (1) Management responsibility for fire safety

The Fire (Scotland) Act 2005 as amended and the Fire Safety (Scotland) regulations 2006 require the ground management to identify a person whose responsibility it is to oversee fire safety management.

This individual should also be responsible for the training and deployment of stewards with special responsibility for fire safety.

- (2) Fire Safety Risk Assessment

Ground management must ensure that the responsible persons conducts or commissions a fire safety risk assessment. The purposes of said

assessment is to determine the levels of fire risk at the ground on both event days and non-event days.

A fire safety risk assessment shall require to be carried out for the stadium at least once a year by a competent person. The outcome of the fire safety risk assessment shall be recorded in an easily retrievable manner and available for inspection by the Fire Authority and the designated Officer of the Council at all reasonable times.

- (a) The process of risk assessment will be ongoing and hereafter where there is reason to suspect that the current fire safety risk assessment is:
  - (i) no longer valid, or
  - (ii) if there has been a significant change in the matters to which it relates,

then the assessment should be reviewed, and any required changes must be made to ensure continued compliance with the Fire (Scotland) Act 2005 and the Fire Safety (Scotland) Regulations 2006 No 456

- (b) The Holder is obliged to provide a copy of the current Fire Risk Assessment to the designated officer of the Council. In the event that the Fire Risk Assessment is amended the Holder must provide a copy of the updated version to the designated officer of the Council within 7 days of the amendment having been made."

### (3) Fire Safety Plan

- (a) There should be a written fire safety plan which sets out the action all people present in the ground should take in the event of a fire. It should be kept on the premises, be available in a format understood by all, as well as being known by staff and forming the basis of the training and instruction which is provided. The plan will be available for inspection by the Fire Authority and designated Officer of the Council upon request by either or both of said parties.
- (b) The purpose of the plan is:
  - (i) to ensure that an appropriate level of fire safety is in place for all people present at the ground on both event days and non-event days.
- (c) The fire safety plan should cover those matters set out in section 15.6 of the Guide.

### (3) Information and Training

- (a) A sufficient number of competent persons should be employed at all times to enable the safe and effective evacuation of the premises.

The premises' fire safety risk assessment must be reviewed, in respect of staff numbers required for evacuation of the premises, in the event of the fire.

- (b) All staff (including stewards, volunteers, performers, visiting contractors, temporary and agency staff) and other relevant persons should be given information, training and instruction on the fire safety measures to be taken or observed on the premises, including the action to be taken in case of fire. The specific fire safety training needs of any young persons employed should be considered. Training of each member of staff should take place as soon as possible after they are appointed and regularly, at predetermined intervals after that, to ensure that they remain familiar with procedures. Information should be given to staff and to other relevant persons whenever there is a change in the risk from fire, where changes have been made to the emergency fire action plan or other fire safety measures, or where working practices or individuals' responsibilities have changed.
- (c) Staff or other relevant persons who have a supervisory role (including stewards) should be given details of the findings of the fire safety risk assessments and should receive additional training which will enable them to discharge their specific responsibility.
- (d) Such training may include the use of fire fighting equipment, basic search procedures and evacuation procedures including disabled evacuation plans/personal emergency egress plan.
- (e) All training should support the fire safety strategy and emergency fire action plan, be verifiable and be supported by management records as evidence that adequate training has been given.

(4) Maintenance and Testing

- (a) There should be recorded details of the following maintenance and testing regime. This should be carried out to the appropriate standard:-
  - (i) the emergency lighting system;
  - (ii) the automatic fire detection system;
  - (iii) staff training - routine in case of fire;
  - (iv) fire fighting equipment;
  - (v) the fire warning system and
  - (vi) fire fighting facilities – suppression, dry risers, smoke extraction etc.

**17. Plans**

- (1) The Holder shall have in place an up to date plan(s) to the satisfaction of the designated Officer of the Council. Said plan(s) shall be of a suitable scale and shall clearly include, but may not necessarily be limited to, delineation and identification of the following:

- (a) a general plan of the sports ground;
  - (b) the location and capacity of both entrance and exit gates
  - (c) a general plan of approach road and car parks
  - (d) the general arrangements of each stand
  - (e) the names of each stand, terrace or section, its capacity and any relevant information regarding categories of spectators.
- (2) The Holder shall ensure that on any occasion where there may be subsequent alteration(s) to the capacity and/or layout of any part of the stadium, one original and 6 hard copy revised colour plans or one electronic copy shall be submitted to the designated Officer of the Council within a reasonable timeframe of said alteration(s).

## **18. Media**

- (1) The Holder shall ensure that media companies provide ground management with:
- a. a risk assessment,
  - b. a method statement outlining the construction processes to be followed for each temporary media installation,
  - c. design calculations for each temporary media installation that may be in place and
  - d. a Media Plan, setting out the location of each temporary media installation, during a specified activity in accordance with Section 19 of the Guide.
- (2) All media provision at the stadium will meet, so far as reasonably practicable, the required standards detailed in Chapter 19 of the Guide.
- (3) The Holder will have in place a site specific risk or event specific assessment in relation to both temporary and permanent media provision ('media risk assessment') which shall be undertaken in accordance with Section 19 of the Guide. Said media risk assessment shall include a layout plan detailing clearly, where applicable, the following:
- (i) the location of parking spaces allocated for vehicles that are operated/used by media personnel;
  - (ii) the location(s) where media cable runs will be placed and those location(s) where it is anticipated that cable runs may be placed;
  - (iii) the positioning of camera gantries both temporary and permanent;
  - (iv) the positioning of temporary advertising boards;
  - (v) the location of temporary scaffolding that is intended for use in relation to media provision and
  - (vi) the location of temporary barriers that may be in use to protect, for example, various media installations.

- (4) The Holder must, upon request, submit to the designated Officer of the Council the media risk assessment including layout plan as per sub clause 3 above.
- (5) If the designated Officer of the Council requires further clarification and/or detail in respect of the media risk assessment and/or the layout plan therein, then the Holder will require to submit that information within a reasonable timeframe to the designated Officer of the Council upon reasonable request by him/her.
- (6) Any proposed alterations or extensions to any media installations that are likely to affect the safety of persons at the stadium must be notified to the designated Officer of the Council prior to the carrying out of those proposals. Also see Clause 32 of this Certificate in relation to alterations or additions to be made to any part of the stadium, its buildings, structures and/or installations.
- (7) Any proposed alterations to the layout plan as per sub clause 3 above must be notified to the Council prior to the carrying out of those alterations.
- (8) Media structures and/or equipment shall not be permitted at any time to cause any obstruction to the police or emergency services during the performance of their usual duties. The positioning of said structures and/or equipment shall not at any time compromise spectator safety.
- (9) All media personnel shall be provided with specific event day security passes showing those areas which they are permitted to access, In addition, all roving media personnel should be clearly identified, by colour coded tabards bearing the appropriate wording which shall be worn at all times when spectators are admitted to and remain within the stadium. Said tabard shall clearly distinguish media personnel from stewards, the police, emergency services and any other safety personnel that may be present within the stadium during a specified activity.

## **19. Auxiliary Power System**

- (1) The Holder shall provide an alternative electricity supply ('auxiliary power system') which shall function for a minimum period of three hours in the event of failure of the normal supply to the following installations: emergency lighting;, the public address system , CCTV and all other safety related installations.
- (2) The Holder shall also have in place a report specifying in full the functioning of the auxiliary power system and how it operates in relation to the failure of normal power supply. In particular, said report shall include the circumstance(s) in which the system becomes operative and the duration of said system in the event of power failure. Any amendments made to this report subsequent to the execution of this Certificate must be notified to the designated Officer of the Council within a reasonable timeframe of the making of said amendments. In the event that the designated Officer of the Council may not be satisfied with the contents of said report, s/he reserves the right to make any recommendations to the Holder to improve the functioning or otherwise of the auxiliary system and the Holder shall, so far



as reasonably practicable, implement those recommendations within a reasonable timeframe.

## **20. Control Room and Secondary Control Room**

- (1) The Holder shall provide and maintain a control room to meet the reasonable requirements of the ground and the event. The location of the control room should command a clear view of the whole stadium, pitch and environs. Said Control Room shall be of a sufficient size to enable all authorised personnel in normal and emergency conditions to operate any equipment
- (2) The holder shall provide an maintain physically separate from the Control Room, suitably heated, clean accommodation with toilet facilities for the detention and interviewing of persons; an adequate refreshment room for the use of Police Officers on duty and any other accommodation that may be so required by the Chief Constable.
- (3) As part of its contingency planning, management should consider how its safety management operation would continue to operate if the control room were to be rendered unusable. Management should address within its contingency plans those matters listed in section 16.3 of the Guide.

## **21. Tickets**

The number of tickets issued for each part of the stadium shall not exceed the permitted capacities as specified in Appendix 2 herein. Every ticket shall clearly specify the turnstile or entrance gate by which the ticket holder may enter the stadium. A simple understandable plan of the stadium clearly indicating the position of turnstiles and/or entrance gates shall also be displayed on the reverse of all tickets. It is also recommended that the Holder has in place effective anti-counterfeiting features to ensure the validity of a ticket.

## **22. Turnstiles/Entrance gates**

The Holder shall close all turnstiles or entrance gates to any part of the stadium when the attendance limit for that part is reached. The Holder and/or his/her authorised representative(s) shall also open and/or close any turnstile and/or entrance gate immediately upon instruction from the Chief Constable.

## **23. Communication systems**

The Holder shall provide effective communication systems in accordance with Section 16 of the Guide. In particular, the Holder shall ensure that said system provides clear communications between the police, the safety management team (in particular both the Safety Officer and Deputy Safety Officer), stewards and other safety personnel, first aid attendants, the crowd doctor, spectators both inside and outside the stadium and any other relevant person(s) that may be so determined

by the Safety Officer. The Holder shall also ensure that, so far as reasonably practicable, the public address system meets the requirements of section 16.18 of the Guide. CCTV facilities shall also meet the requirements set out in sections 16.20 – 16.26 of the Guide inclusive.

#### **24. Maintenance**

The Holder shall comply with the requirements of Appendix 3 herein. The Holder shall also ensure that all buildings, structures, means of ingress and egress, installations including electrical, mechanical and heating are at all times kept free from any obstruction and are maintained in such repair so that they do not at any time compromise spectator safety. Said obligation may be subject to an approved deviation as detailed in Clause 4 above.

#### **25. Ingress and Egress**

All entry and exit points at the stadium shall be clearly marked on the plan(s) annexed to this Certificate. Means of ingress and egress shall be compliant with Sections 7 and 10 in the Guide, so far as reasonably practicable. Advertising boards shall not at any time impede entry and/or exit onto the pitch.

#### **26. Pre-activity notice for admission**

The Holder shall ensure that, not less than three hours before each specified activity, the Safety Officer or his authorised representative shall confirm in writing to the Chief Constable that spectators may be safely admitted to, and remain within, the stadium for the duration of that specified activity.

On any occasion when it has been determined that an activity is to be “Category CS” – Club security only or “police free” the Holder shall ensure that no later than three hours prior to the stadium being opened for the admission of spectators, the Safety Officer or his authorised representative shall confirm in writing to the Designated Officer of the Council that spectators may be safely admitted to, and remain within, the stadium for the duration of that specified activity. In this section confirmation in writing may be effected by e-mail and addressed to the Licensing team, Aberdeen City Council. For the avoidance of doubt, the responsibility for the safety of the spectators remains solely with the Holder.

#### **27. Barriers**

All barriers, including crush barriers and support structures, should be subject to an annual visual inspection and risk assessment to determine the schedule for testing in accordance with section 11.9 of the Guide and testing obligations as specified in Appendix 3.

Having conducted the risk assessment and determined which barriers, if any, require testing, the Holder shall ensure that a suitably qualified person test the functioning of those barriers as part of the general maintenance and safety checking of the stadium, prior to spectators being admitted to that section of the ground. Upon identification of any deterioration and/or change(s) in the functioning

of said barriers following tests, the Holder shall ensure that any defect(s) are rectified immediately. Detailed written records should be made and kept of all observations for each barrier tests and should record the information referenced at section 11.2 of the Guide.

## **28. First Aid and Medical Facilities**

- (1) The Holder shall provide and maintain within the stadium, to the reasonable satisfaction of the Environmental Health Service, suitably equipped First Aid and medical facilities. There shall be a minimum of one suitably trained first aider for every one thousand spectators and a minimum of two suitably trained first aiders in attendance at each event. The Holder shall ensure that a suitably trained first aider is one who holds the certificate of first aid issued under the Health and Safety (First Aid) Regulations 1981. The role of first aiders shall include those specifications listed in Section 18.13 of the Guide.
- (2) The Holder shall ensure that a medical needs assessment from a competent person or organisation is undertaken in accordance with Sections 18.3 and 18.4 of the Guide. A written medical plan shall also be produced by the Holder in accordance with Section 18.5 of the Guide. A copy of said medical plan shall be kept in the First Aid room(s) and shall be available for inspection by an authorised person and/or the designated Officer of the Council upon request.
- (3) When the number of spectators ranges between 2,000 and 10,000, it may be acceptable to have in place either an Event Doctor or an event practitioner, if such a provision can be substantiated within the Medical Plan. The Definition of Event practitioner can be found in Section 18.7 of the Guide. Where the number of spectators is expected to exceed the 10,000, the Holder shall ensure the presence of at least one doctor ('the crowd doctor'). In Terms of qualifications and training the Event doctor must have those qualifications set out in section 18.7 of the Guide. The crowd doctor should be present at the ground prior to the turnstiles/entry gates being opened and remain until such time as all spectators have vacated the ground and he/she has been stood down by the Safety Officer. The whereabouts of the crowd doctor should be known to all first aid and ambulance staff and s/he ought to be positioned at an easily identifiable site where s/he is readily accessible to first aiders and where s/he can move with ease to any part of the stadium. In the event that there are two or more crowd doctors present in the stadium, it is desirable that they are not located together but stationed at strategic points within the ground. The crowd doctor shall at all times be readily identifiable by means of a high visibility tabard with 'DOCTOR' on both the front and back. The Holder shall be responsible for supplying communications equipment to the crowd doctor to enable him/her to be immediately contacted should it be so required. The Holder shall ensure that the crowd doctor has full working knowledge of all the following:
  - (a) the layout of the stadium and location of exit and entry gates;
  - (b) the location and staffing arrangements of the First Aid room;
  - (c) details of ambulance cover;

- (d) the equipment that is available for treating medical cases and the location of that equipment;
- (e) the local emergency plans prepared by emergency services for dealing with major incidents and how these relate to contingency plans for the ground and
- (f) the general pattern of crowd movement during an event.

**29. Ambulance**

- (1) Subject to the written approval of the general manager of the Scottish Ambulance Service, the Holder shall ensure the provision and attendance of at least one fully equipped ambulance staffed at paramedic level at all events with an anticipated attendance of 5000 or more. The Holder shall also ensure, so far as reasonably practicable, the attendance of the ambulance(s) at the stadium prior to the admission of spectators and should continue to be deployed until informed by the Safety Officer. The role of the ambulance(s) shall also be clearly identified in the written medical plan.
- (2) The attendance of first aid, ambulance and any other type of medical personnel shall not be necessary when members of the public are admitted to the stadium for the sale of tickets only.

**30.** This Certificate is issued without prejudice to any legislation that may place any statutory obligation(s) upon the Holder.

**31.** This Certificate is a live document and may be amended at any time by the designated Officer of the Council. The previous Certificate, effective from 15 June 2017 is replaced by this Certificate with effect from 19 January 2021. The Council will review this Certificate annually.

Signed: \_\_\_\_\_

Designation: \_\_\_\_\_

Date: \_\_\_\_\_

## **SPECIFIED ACTIVITIES**

1. Specified activities:

- (a) Association Football;
- (b) Rugby Union;
- (c) Gatherings to celebrate the winning of any honours by the Holder's football team and
- (d) Other sporting event(s) attended by more than 500 spectators.

Subject to the terms and conditions of this Certificate and to any statutory requirements, the stadium may also be used for the following activities ancillary to the specified activities above:

- (e) the playing of music or singing;
- (f) the provision of news or comment relative to the primary activities;
- (g) the sale of tickets for forthcoming activities and the sale of programmes, news sheets and souvenirs;
- (h) the sale and consumption of refreshments;
- (i) public collections of any nature; and
- (j) any other ancillary activity for which the Holder must obtain prior written approval from the designated Officer of the Council no less than 14 clear days prior to the holding of said ancillary activity.

The activities covered by this Certificate shall not include practice or training sessions for the specified activities to which not more than 500 non-paying spectators are admitted.

## PERMITTED NUMBERS OF SPECTATORS

Stand	Final Capacity
Main Stand	3483
Richard Donald Stand	6220
South Stand	7789
Merkland Road Stand	3374
Stadium	20866



## TABLE OF INSPECTING, TESTING, AND KEEPING OF RECORDS FOR THE STADIUM

The Holder shall ensure that all necessary maintenance, inspections and tests are carried out in accordance with the Guide's recommendations, current British Standards and manufacturer's instructions.

Records of said maintenance, inspections and tests should be kept in a specified place at the ground or in the management's office for a minimum period of five years or longer if so required by British Standards or manufacturer's instruction. Said records shall also be kept in accordance with Section 5.14 of the Guide. It is also recommended that a back-up copy of these records be kept securely off site.

Notwithstanding the record keeping obligations incumbent upon the Holder as per this Appendix 3, the Holder will require to submit within a reasonable timeframe to the designated Officer of the Council, upon reasonable request by him/her, a report(s) detailing the outcome of any one or more of the inspections detailed in 'a' to 'p' below.

<b>the Guide's Recommendations</b>	<b>Section of the Guide</b>	<b>Test Method</b>	<b>Frequency of testing</b>	<b>Form of Record kept</b>
a) The operation of structures, installations and components should be inspected and tested by competent persons	5.9	Appraise as required to determine suitability for purpose	At least 48 before an event and event day	Log book signed by Safety Officer or Deputy Safety Officer at each event
b) The general condition of all facilities should be checked, and any details and/or shortfalls immediately rectified prior to public entrance		As required	Within 24 hrs prior to an event	Log book with remedial works dates signed by Safety Officer or Deputy Safety Officer at each event
c) Ground should be inspected to identify potentially dangerous damage that requires remedial action	5.11	Visual inspection	After an event	Maintenance records
d) Detailed inspection of all structures, installations and components should be carried out by competent persons with appropriate qualifications and experience. Materials	5.12 And 5.13	Appraise as required to determine suitability for purpose	annually	Written report and manuals

defining key elements and components of the structure requiring regular inspection and maintenance of the structure should be provided. Structural dynamics for permanent structures should be appraised				
e) Ingress monitoring systems should be tested and turnstile flow rates reviewed in accordance with the Guide's recommendations	7.0	Manufacturers' instructions	Annually	Computerised monitoring records
f) Highlighting of nosings to steps / stairs /change in level / gangways in a non-slip material, should be included in a continuous maintenance programme	8 .3 and 12.10	Visual inspection	As required	Maintenance records
g) Barriers should be risk assessed and tested in accordance the Guide	11	As specified by the Guide	Annually	Written report
h) Inspect and test fire alarm and detection systems	15	in accordance with relevant British Standard		Inspection certificate and log book
i) Inspect and test fire extinguishing systems	15	In accordance with the relevant British Standard		
j) All electrical and mechanical installations should be inspected and tested by competent persons	17.2	Manufacturers' instructions, operator's manual provided by the installer, relevant British Standard, maintenance Schedule of the management.	Annually or as required by Manufacturer or British Standard	Inspection certificates and Log book



k) Inspect and test all auxiliary and back up power systems	17.12,	relevant British Standard and manufacturers' instructions	As required by BS	Log book/maintenance records
l) (i) Inspect and test passenger lifts	17.13	Manufacturer's written instructions and schedules and relevant British Standard		Log book and periodic inspection and test certificates
(ii) Inspect and test public address system	16.18	BS7827 and BS-5839-8 Code of Practice	Annually, In addition to regular pre - event checks, it should be inspected and tested bi-annually	Log book/maintenance records/in section Certificate and report
(iii) Inspect and test CCTV system	16.25	Service Contract	24 hours prior to a specific event, six monthly, annually in accordance with 16.25 of the Guide	Log book/maintenance records
m) Inspect and test ventilation, air conditioning and smoke control systems	17.17	Manufacturers' instructions or relevant British Standard	Annually	Log book/maintenance records
n) Necessary communication systems should be tested and maintained in accordance with British Standards or manufacturer's instructions.	163	Manufacturers' instructions or relevant British Standard	Annually	Log book/maintenance records
o) Risk assessment for media provision	19	Appraise as required to determine suitability	As required	Log book , risk assessments, structural certification

p) Assessment of capacity	2	As specified by the Guide	Annually and when there is a change as per section 2.4	Written report/risk assessment
---------------------------	---	---------------------------	--	--------------------------------

---

## ABERDEEN FOOTBALL CLUB

### Further Deviations from (Fifth Edition) The Green Guide

Clause	Standards Provided	Granted on the Basis that
7.8	Design and Management of Entrance and Exit Routes Automated turnstiles would appear to be a deviation	The turnstiles are continually monitored in the Control Room Turnstile Supervisors monitor a bank of turnstiles internally. They also monitor a lighting system which indicates if there is a fault on the entry system Stand Reps Steward and Turnstile Supervisors all carry over ride cards and have the authority to override the computerised system in the event of fault or emergency.
7.10	<u>Admission Policies</u> para g) The only section of the ground that unreserved seating is offered is the away section	<p>Posters with instructions of how the system works will be on display at the turnstile entrance or alternatively on the turnstile top. The AFC's, (in association with the Scottish Football Association) Ground Rules are displayed throughout the ground.</p> <p>With regards to unreserved seating, this is undertaken on a game to game basis based on intelligence from the visiting club as to number of expected supporters. Taking this into consideration and to minimise any confrontations, the visiting support are allocated specific sections of the away stand. The ticket indicates the section in the away stand that they can occupy and shows row and seat number. For unallocated seating games tickets are clearly stamped unallocated and signage provided at turnstiles along with all details posted on both AFC and opposing team's websites. There is always procedures in place to open up other parts of the away section should the designated away section become full or overcrowded.</p> <p>If any part of the away section becomes full then another part of the away section would be open up.</p> <p>The Club maintain and hold off sale at all time's emergency</p>

		seating areas along with the required seats along with the required seats taken off sale and identified by the P & S factors annual audit, in any instance the club will retain 5 – 10% of the total capacity of the section. This is controlled and monitored by the Stewards and Control Room Staff
<b>8.4</b>	<p><u>U Flights of Stairways</u> Pittodrie Stadium is an existing situation. Compliance with 8.4 para. b) Cannot be fully achieved particularly in the Main Stand.</p>	<p>Due to the stadium's age and design the stairs in the South and Merkland Stands exceed 36 risers without any landings, and without any 30° change of direction. There are varying numbers of risers in the South Stand and in the Merkland Stand. The risers are clearly highlighted are variances in height of risers but all stairs are monitored by stewards during an event.</p> <p>Due to the stadium's age and design the risers in the interior and exterior stairs in the Main Stand have a variance in height. The risers are clearly highlighted and are monitored by stewards during an event for the smooth control and flow of the crowd. Stewards are strategically position on the stairways which are kept clear during the event. In addition, crowds should not be allowed to congregate in the walkways but should be managed and monitored by stewards.</p> <p>The Stairway width at Row A in the Main Stand in Sections D, E &amp; F is less than the recommended 1.1m but there is sufficient room for two persons to leave the exit at the same time and within the agreed evacuation time.</p>
<b>8.5.d</b>	<p><u>Dimensions of Stairways Landings</u></p> <p>The going of each landing, at the foot of stairways should not be less than the width of the channel of the flight.</p> <p>Due to the addition of LED advertising boards along the Mainstand trackside compliance with 8.5 paragraph d cannot be fully achieved. The landings at the foot of the stairways of Gates 33 and 36 are restricted when the LED advertising boards are closed.</p>	<p>Management recognise this deviation and have adopted a stewarding strategy as follows:</p> <p><b>Continually stewarded before and after gates open to the stadium and before any member of the public enter the grounds. The gates have a minimum clear opening width of 1.5m</b></p>
<b>8.9</b>	<u>Controlling the Flow at the Head of Stairways</u>	It is considered that the direction of barriers to control the flow at the head of the stairs

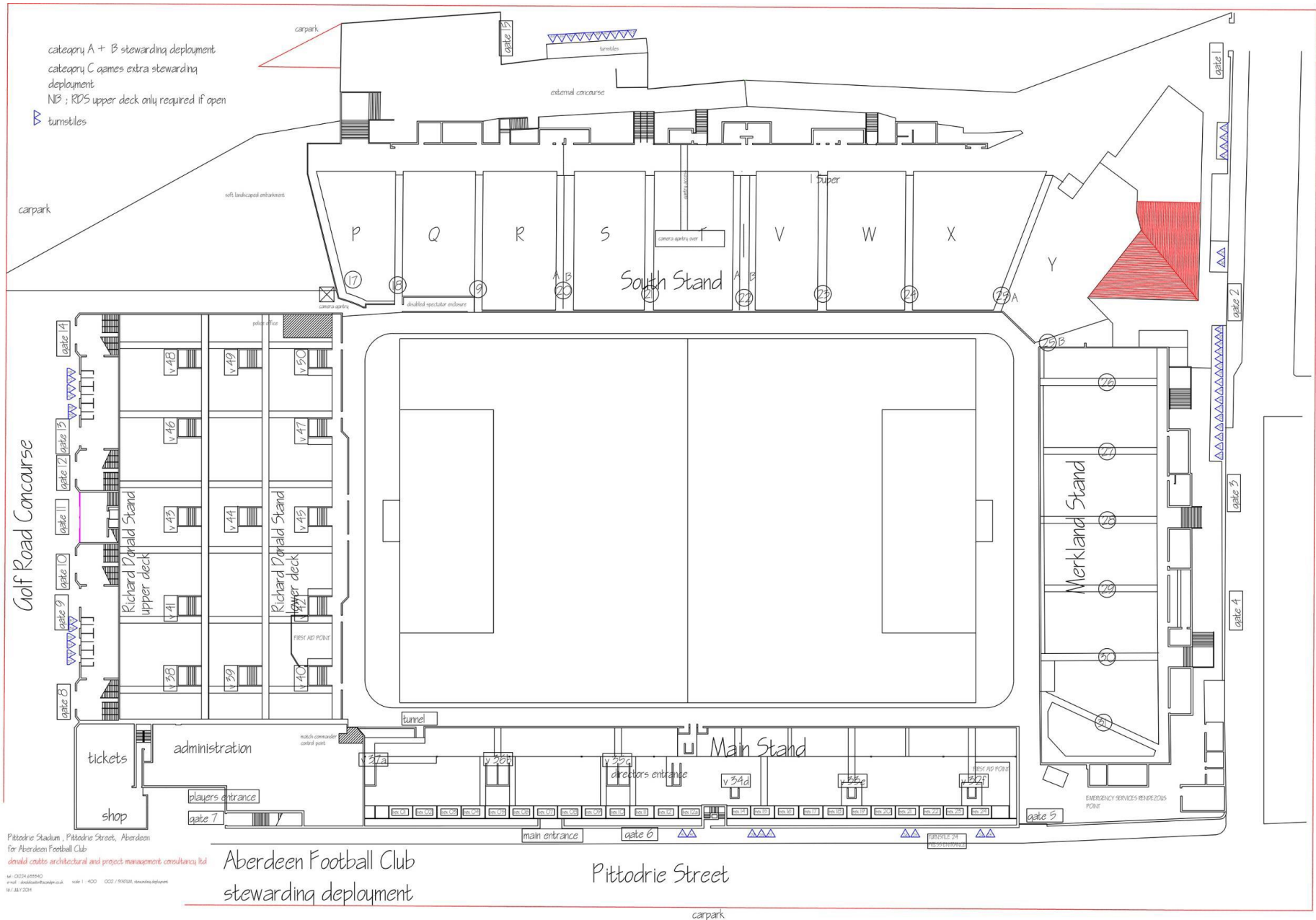
	Pittodrie Stadium is an existing situation. Compliance with 8.9 para b and d, cannot be fully achieved particularly in the Main Stand.	<b>would have a detrimental effect on the spectator circulation through the concourses. These particular areas are signed accordingly and monitored by appropriately trained and qualified stewards who do not allow persons to congregate there and who control capacity and flow</b>
<b>9.4</b>	<u>Size of Concourses</u> Pittodrie Stadium is an existing situation, and historically the concourses have been upgraded to provide spectator catering and welfare facilities. The width and spatial arrangements of the concourses vary from stand to stand and from level to level.	<b>Management have mitigated against this by the provision of stewarding and CCTV coverage. in the direction identified</b>
<b>9.5</b>	<u>Circulation on Concourses</u> Pittodrie Stadium is an existing situation and compliance with 9.5 para a) b) and c) cannot be fully achieved particularly in the Main, Merkland and South stands.	<b>Management have mitigated against this by stewarding at particular flow problem areas within the concourses, and by delineating queuing areas for the catering and welfare facilities. Floor markings, directional arrows and the implementation of an educational policy, explaining to supporters the reason for queuing. A designated clearway for non catering personnel will be developed which will be stewarded and the spectator flow controlled.</b>
<b>9.6</b>	<u>Design of Concourses and Related Facilities</u> Management has endeavoured to upgrade the specification of the concourses to achieve compliance.  The Main and South Stands catering facilities have manual shutters which are removed prior to the kiosks opening.  The Main Stand is protected by smoke alarms. Fire extinguishers are available - all kiosks.  The Merkland Stand kiosk has a pair of manually operated shutter doors which isolate the catering unit.	<b>In recent years sections of the first floor concourse in the Main Stand have been lined with plasterboard to enhance the fire resistance of the existing structure.  Only slow cooking takes place with no deep fat frying, and staff are fire trained and stewards monitor the kiosks during activities  The staff are fire trained and the kiosk is monitored by stewards. Fire extinguishers are provided. Only slow cooking takes place with no deep fat frying.</b>
<b>10.2</b>	<u>Basic Design Principles</u> We are aware of reservoir area within the timber structure of the Main Stand.	<b>At the specific narrowing of an exit route it must be preceded by an open space or reservoir area of the appropriate holding capacity otherwise this will be deemed to be a deviation. However the reservoir areas identified in the Main Stand are stewarded as the crowd exit for</b>

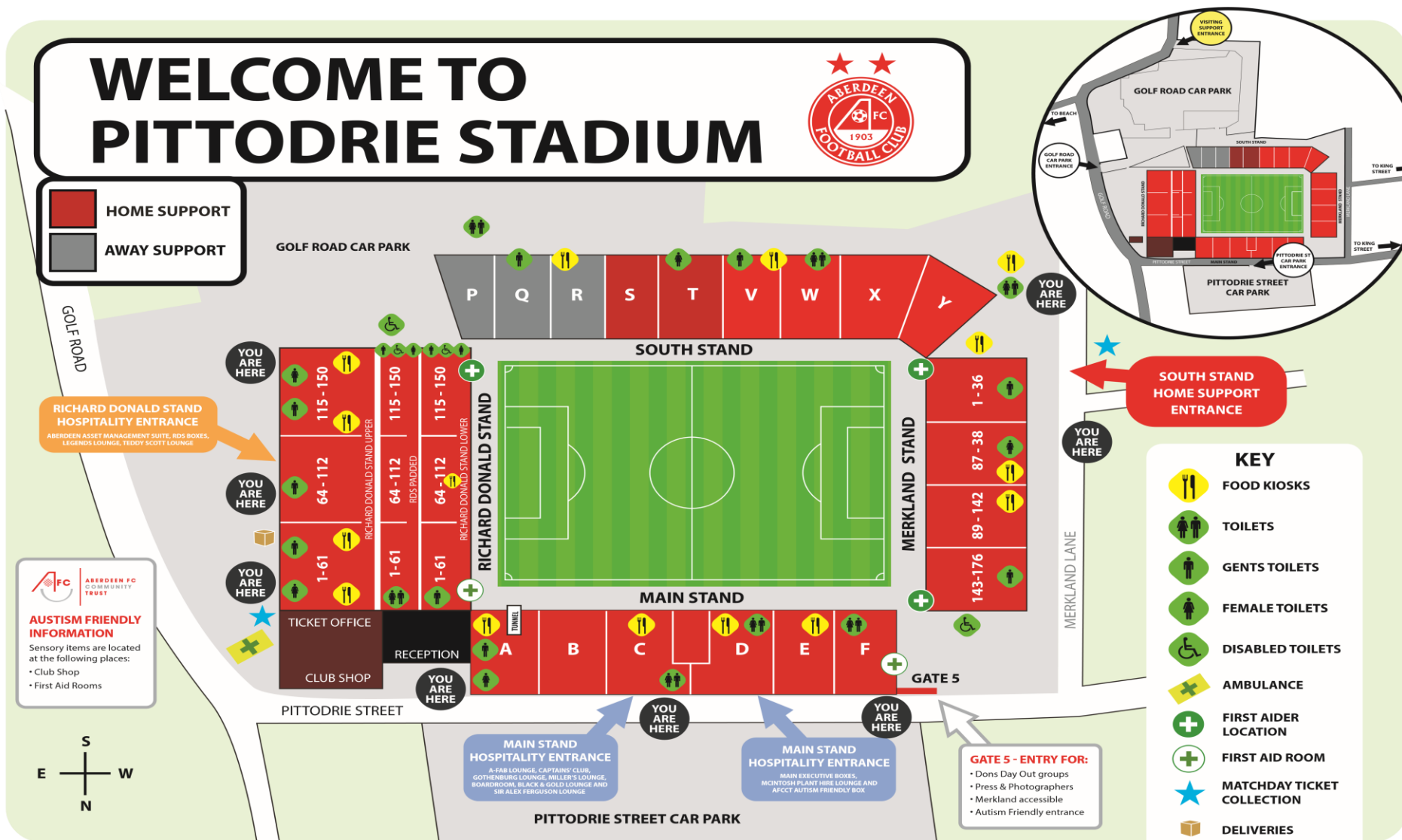
		a steady smooth exit minimising delays. A steward to be placed at bottom of stairs to prevent any person going back up against the crowd flow.
10.8	<u>Design and Management of Exit Systems</u> Persons queuing at the recess catering outlet in the Main Stand and Richard Donald obstruct free passage flow	The recessed catering outlets in the Main Stand are monitored by stewards and stand representatives during an event, the introduction of physical barriers would impede the flow to the clearly marked exits. Signage at painted floor areas is to be implemented to encourage and educate persons to queue across the kiosk and not perpendicular to same.
10.16	<u>Exit Doors and Gates</u>	Exit Gate 5 in the Main Stand is of the sliding type and is staffed by a Steward at all times during an event. The Steward is authorised to open the gate at his discretion and without further instructions and is in radio contact with the Control Room should he request to be relieved at any time.
10.17	<u>Electronic Security Systems</u> Gate 6, Main Stand has an electronic security operating system, and management have arranged for trained stewards to be positioned there, in compliance with para b).	This gate is staffed by a Steward at all times during an event. The gate is capable of being de energized by the Steward. It is also connected to the Fire Alarm and is automatically de-energised when the Fire Alarm is actuated. The steward is authorized to open the gate at his discretion and without further instruction. The Steward is in radio contact with the Control Room should he request to be relieved at any time
12.9	<u>Gangways in Seated Areas - General</u> Pittodrie Stadium is an existing situation and compliance with 12.9 paras a) b) and c) cannot be fully achieved particularly in the Main Stand.	Management have mitigated against this by appropriate stewarding at particular problem areas During evacuation exercises the egress time have been unaffected
12.11	<u>Radial Gangways in Seated Areas</u> Pittodrie Stadium is an existing situation and compliance with 12.11 a) and b) cannot be achieved in the Main, Merkland and South Stands.	Management have mitigated against this by stewarding of the gangways and by painting contrasting coloured nosings to the steps to highlight them.
12.16	<u>Number of Seats in a Row</u> There are seating rows within the Main Stand which do not comply with this clause.	Aberdeen Football Club is aware of this and monitor the situation. Spectators are familiar with the situation and they self - police this by choosing which way to exit. Stewards in attendance will control the flow of spectators.

		During evacuation exercises there has been no hold up and the egress time was unaffected
15.11	<p><b><u>Restriction of Fire Growth and Spread</u></b> The Richard Donald Stand, being relatively modern complies within the Guide in respect of Restricting Fire Growth and Spread.</p> <p>The Main and South Stands catering facilities have manual shutters which are removed prior to the kiosks opening.</p> <p>The Main Stand is protected by smoke alarms. Fire extinguishers are available.</p> <p>The Merkland Stand kiosk has a pair of manually operated shutter doors which isolate the catering unit.</p>	<p>Whilst having no spectator useable accommodation under the south and Merkland Stands, there are catering facilities which open onto the spectator areas and these are protected and isolated by 30 minute fire resisting shutters.</p> <p>The Main Stand is the least compliant. AFC in consultation with Building Control. and Scottish Fire and Rescue Service has endeavoured to mitigate this by the provision of 1 hour Fire resistant doors within the concourse areas. The Richard Donald and Main Stands are fully fitted with smoke/fire detection and alarm systems</p> <p>Only slow cooking takes place with no deep fat frying, and staff are fire trained and stewards monitor the kiosks during activities</p> <p>The staff are fire trained and the kiosk is monitored by stewards. Fire extinguishers are provided. Only slow cooking takes place with no deep fat frying.</p>
15.12	<p><b><u>Fire Resistance in Existing Construction</u></b> Pittodrie Stadium is an existing situation, and the Main Stand presents particular problems</p>	<p>Management have recognised this and have carried out significant upgrading of the fire resistance elements of construction, particularly the fire lining of the underside of the upper tier of spectator accommodation, from within the first floor concourse.</p> <p>The deficiencies in the Main Stand are recognised and taken account of by BMJ Architects in the computation of the relevant 'P' factor.</p> <p>Management continually assess the fire resistance characteristics exit routes etc and the physical condition of the Main Stand, and do so in consultation with the Police and Fire Services</p>
16.6 (f)	<p><b><u>Location of Control Point</u></b> Pittodrie Stadium is an existing situation and the control room has been located adjacent to the Main Stand.</p>	<p>This location was agreed by both Club and Emergency Services. The requirements</p>

		<p>of clause 16.6 have been met as far as practical on site.  Police are content with the site.</p>
19.0	<u>Media Provision</u>	<p>Management will ensure that the non-combustibility of the gantry to the Richard Donald Stand has been provided in compliance with Building Standards Scotland Regulations</p> <p>Management will ensure that site specific risk assessment method statements and design calculations are provided by Media companies for all their temporary &amp; permanent installations at Pittodrie Stadium</p> <p>Temporary scaffolding will be designed and erected in accordance with the recommendations of the Institute of Structural Engineers.</p>







Whilst the provisions of The Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Regulations 2020 or successor regulations and any relevant Scottish Government Guidance are in force the conditions noted in this appendix will supersede the equivalent condition of the Safety Certificate. This appendix will cease to have effect when the said regulations have been repealed.

#### 1. Spectator numbers

The Holder shall ensure that the maximum number of spectators who may be admitted at any one time to the stadium and to each part thereof shall not exceed the attendance limits noted at Table 1 below. The maximum capacity figures detailed in Table 1 may be reduced by the designated Officer of the Council following receipt by and consideration by him/her of the following reports, namely, the:

- (a) deviation report as per Clause 4 of this Certificate;
- (b) the fire risk assessment as per Clause 16;
- (c) the P & S Factor report as per Clause (3) of Appendix 6 and
- (d) a structural report.

The Holder shall also retain written records of the total number of spectators admitted to each part of and to the whole of the stadium for a period of no less than five years. Said records shall also be made available for inspection to an authorised person upon his/her request.

**Table 1**

<b>STAND</b>	<b>TOTAL STADIUM SEATS</b>	<b>RESTRICTED VIEW SEATS REMOVED</b>	<b>TOTAL USABLE SEATS</b>	<b>P + S FACTOR SEATS REMOVED</b>	<b>SOCIALLY DISTANCED CAPACITY</b>
<b>South</b>	8155	84	8071	7133	938
<b>Merkland</b>	3544	117	3427	3095	332
<b>Main</b>	3901	43	3858	3454	404
<b>RDS Lower</b>	3038	0	3038	2745	293
<b>RDS Upper</b>	3182	0	3182	2806	376
<b>Total</b>	<b>21,820</b>	<b>244</b>	<b>21,576</b>	<b>19,233</b>	<b>2343</b>

## 2. **Risk Assessments**

The Holder shall ensure that pre-event, site specific risk assessments as are deemed necessary for the protection and promotion of public safety shall be carried out by competent persons with the appropriate skills and experience for all specified activities. Said risk assessments shall include but not necessarily be limited to those risk assessments as detailed in the Guide and will include references to COVID-19 for matches (including any specific risk factors around the visiting team or local area from which supporters are travelling and appropriate mitigation measures). The Risk assessment shall follow those steps listed in section 3.3(d) of the Guide. Records of said risk assessments shall be kept for a period of no less than five years and the Holder shall, upon request from the designated Officer of the Council, submit to the designated Officer of the Council -copies of the same risk assessment(s )so requested by him/her.

## 3. **P & S Factor**

1. The Holder shall ensure that the 'P' and 'S' factors are reassessed in accordance with any update to Regulations or guidance issued in respect of physical distancing and shall ensure that said factors consider any risk assessments that are undertaken in accordance with Clause 2 of this Appendix.
2. The Holder shall also ensure that the 'P' and 'S' factors are additionally reassessed upon the occurrence of one or more of the following, namely:
  - (a) any physical alteration to the stadium;
  - (b) any change in the nature of the event;
  - (c) any change in the nature of safety management structure and
  - (d) any change in the nature of personnel.
3. Any reassessment(s) of the 'P' and 'S' factors shall be undertaken in accordance with the general provisions of the Guide and in accordance with Supplementary Guidance 02 - Planning for Social Distancing at Sports Grounds. The designated Officer of the Council shall be notified immediately of a requirement to reassess in the event of the occurrence of one or more of (a) to (d) above

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank



Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank



Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank



Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank